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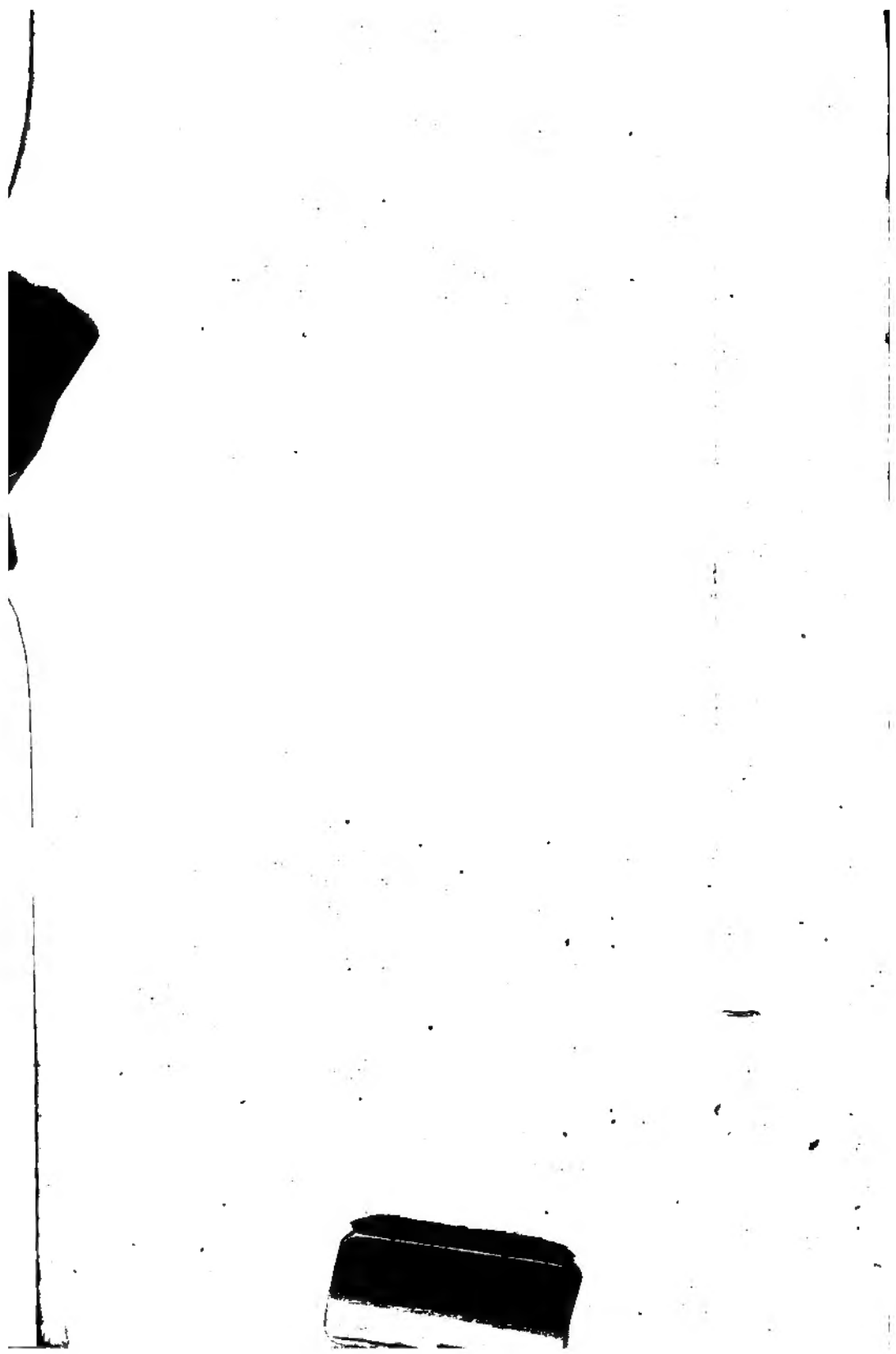
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**JOURNAL**

**OF THE**

**House of Representatives**

**OF THE**

**FOURTEENTH GENERAL ASSEMBLY**

**OF THE**

**STATE OF IOWA,**

**WHICH CONVENED AT THE CAPITOL, IN DES MOINES, IOWA, JAN. 8, 1872.**

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**DES MOINES:**  
**G. W. EDWARDS, STATE PRINTER.**  
**1872.**



JOURNAL  
OF THE  
HOUSE OF REPRESENTATIVES.

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HALL OF THE HOUSE OF REPRESENTATIVES, {  
DES MOINES, IOWA, January 8, 1872. }

At 2 o'clock the House was called to order, by the Hon. John A. Kasson, of Polk county.

On motion of Mr. Kasson, Hon. M. J. Rohlf, of Scott county, was elected Speaker, *pro tem*.

On motion of Mr. Green, of Scott county, Chas. Aldrich, of Hamilton county, was elected Chief Clerk, *pro tem*.

On motion of Mr. Butler, of Page County, Benj. Van Steenburgh was elected Assistant Clerk, *pro tem*.

Mr. Teal, of Decatur county, moved that the roll of Districts be called, and that the members hand their credentials to the Clerk, which motion prevailed.

Mr. Kasson offered the following resolution, which was adopted :

*Resolved*, That Messrs. Pratt of Floyd, Teale of Decatur, Duncombe of Webster, Goodspeed of Washington, and Butler of Page, be appointed a Committee on Credentials, with instructions to report to-morrow, immediately after the reading of the Journal.

On motion of Mr. Evans, R. D. Beard, of Maquoketa county, was elected Postmaster, *pro tem*.

Mr. Goodspeed moved that H. C. Russell, of Washington county, be elected Sergeant-at-Arms, *pro tem*, which motion prevailed.

On motion of Mr. Keables, J. C. Donnell, of Marion county, was elected Door-Keeper, *pro tem*.

On motion of Mr. Hopkirk, J. N. Edwards, of Jefferson county, was elected Assistant-Postmaster, *pro tem*.

On motion of Mr. Green, the House adjourned until 10 o'clock, to-morrow morning.

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, January 9, 1872.

House called to order by the Speaker *pro tem*,  
Prayer by Rev. S. T. Wells.

Journal of yesterday read and approved.

Mr. Pratt, from the Committee on Credentials submitted the following report :

MR. SPEAKER :—Your Committee on Credentials, having attended to the business assigned them, respectfully report the following gentlemen entitled to seats in this House upon proper credentials, to-wit :

1st District—Webster Ballinger, E. M. Stewart, and Conrad Schweer.

2nd District—John H. Gear and Benton J. Hull.

3rd District—John M. Hanson and Joshua G. Newbold.

4th District—Ed. Campbell, Jr.

5th District—John R. Wright and Samuel Whitten.

6th District—Samuel T. Caldwell and John H. Carver.

7th District—Isaac Blakely.

8th District—James Hilton.

9th District—C. B. Miller.

10th District—David J. McCoy.

11th District—James H. Crawford.

12th District—Fred. Teale.

13th District—James Rice.

14th District—Frank M. Davies.

15th District—Andrew Johnson.

16th District—William Butler.

17th District—A. R. Wright.

18th District—W. A. Stowe.

19th District—

20th District—Oliver Mills.

21st District—

22d District—John M. Lee.

23d District—David T. Durham and B. F. Keables.

24th District—W. L. McAllister and L. F. Ellsworth.

25th District—John Morrison, Jr., and John F. Wilson.

26th District—M. Goodspeed and Charles H. Wilson.

27th District—F. A. Duncan.

28th District—Elmers Day and William O. Evans.

29th District—John Q. Tufts and James W. Beatty.

30th District—M. J. Rohlf, John W. Green, and Joseph H. Freeman.

31st District—George Rule, N. A. Merrill, and James Vandeventer.



- 32d District—George C. Heberling and William H. Reed.  
33d District—John P. Irish, George Paul.  
34th District—John O. Clark.  
35th District—L. E. Cardell.  
36th District—James M. Tuttle and John A. Kasson.  
37th District—John P. Beatty and Ira E. Draper.  
38th District—H. G. Van Meter.  
39th District—Wm. Maxwell.  
40th District—C. G. Perkins.  
41st District—Phineas Cadwell.  
42d District—Chas. J. A. Ericson.  
43d District—Wm. K. Wood.  
44th District—James Wilson.  
45th District—E. M. Steadman and F. G. Clark.  
46th District—J. L. Williams.  
47th District—Wm. D. Litzenberg and J. S. McClure.  
48th District—P. G. Bonewitz and John Tasker.  
49th District—Caleb H. Booth, Fred. O'Donnell, and Martin  
Kaier.  
50th District—C. T. Peet.  
51st District—R. B. Fleniken and Louis Reuther.  
52d District—Henry Dayton and Andrew Sandry.  
53d District—J. M. Hovey.  
54th District—L. L. Ainsworth.  
55th District—K. E. Bergh and Warren Danforth.  
56th District—W. W. Blackman.  
57th District—D. B. Hanan.  
58th District—H. O. Pratt.  
59th District—James A. Skillen.  
60th District—Cicero Close and George B. Van Saun.  
61st District—  
62d District—M. A. Leahy.  
63d District—L. O. Bliss.  
64th District—S. B. Hewitt, Jr.  
65th District—J. F. Duncombe.  
66th District—David Secor.  
67th District—Robert Struthers.  
68th District—F. A. Blake.  
69th District—A. R. Appleton.  
70th District—H. B. Wood.

Your committee further report that John Beresheim of the 19th District; D. D. Davisson, of the 21st District; William Hopkirk, of the 4th District; and S. B. Dumont, of the 61st District, are present without credentials and claims to be members from their respective Districts, and your committee find from the evidence before them that they are entitled to seats in this House as members

from said Districts, and recommend that they be admitted accordingly.

H. O. PRATT, *Chairman*.

On motion of Mr. O'Donnell, the report of the committee was adopted.

On motion of Mr. Evans, Mr. Caldwell administered the oath of office to the Speaker *pro tem*.

On motion of Mr. Irish, the oath of office was administered by the Speaker *pro tem* to the members. After which the roll was called, and the members came forward and signed the oath of office.

Mr. Durham offered the following resolution, which was adopted:

*Resolved*, That the House now proceed to the election of its officers in the same order in which said officers were named in the proceedings of the Thirteenth General Assembly.

The House then proceeded to the election of Speaker.

Mr. Close of Black Hawk, nominated Mr. James Wilson of Tama county.

Mr. Ainsworth of Fayette county, nominated Mr. J. M. Tuttle, of Polk county.

Those voting for Mr. Wilson were—

Messrs. Appleton, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Bliss, Bonewitz, Booth, Butler, Cadwell, Caldwell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Davisson, Draper, Dumont, Duncan, Durham, Ellsworth, Evans, Flenniken, Freeman, Gear, Goodspeed, Green, Hanson, Heberling, Hewett, Hopkirk, Hovey, Johnson, Kasson, Keables, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, McCoy, Miller, Mills, Morrison, Newbold, Peet, Perkins, Pratt, Renther, Rice, Rohlf, Rule, Secor, Stedman, Struthers, Tasker, Teale, Tufts, Tuttle, Van Deventer, Van Meter, Van Sann, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wright, of Mills; Wright, of Van Buren—76.

Those voting for Mr. Tuttle were—

Messrs. Ainsworth, Ballinger, Blakely, Day, Dayton, Duncombe, Hall, Hilton, Irish, Merrell, O'Donnell, Paul, Reed, Sandry, Schweer, Skillin, Stewart, Stow, Wilson of Tama—19.

Absent—

Messrs. Campbell, Ericson, Hanan, Kaier, and Wood of Story—5.

Whole number of votes cast.....	96
Mr. Wilson received.....	76
Mr. Tuttle received.....	20

Mr. Wilson having received a majority of all the votes cast was declared duly elected Speaker.

A committee from the Senate consisting of Senators McNutt and Bonner, informed the House that the Senate was now organized and ready to proceed to business.

On motion of Mr. Beatty of Cedar, Mr. Pratt and Mr. O'Donnell, were appointed a committee to conduct the Speaker elect to the Chair.

On taking the Chair, Mr. Wilson addressed the House as follows :

*Gentlemen of the House of Representatives:*

I will remember this kind act of yours while I live. I hope the generosity now extended will be manifested throughout the session, in forbearance toward my short-comings, and kindly feelings for each other, and that your deliberations and conclusions may be creditable to the progressive age in which we live. Regarding every member upon the floor as my personal friend, I will endeavor to discharge the duties of the chair with fairness, and in the spirit in which you placed me here.

The House then proceeded to the nomination of Chief Clerk.

Mr. Newbold nominated J. J. Safely, of Wapello county :

Mr. Irish nominated W. W. Garner, of Louisa county.

Those voting for Mr. Safely were—

Messrs. Appleton, Beatty of Cedar; Beatty of Jasper; Beresheim, Bergh, Blackman, Blake, Bliss, Bonewitz, Booth, Butler, Cadwell, Caldwell, Cardell, Carver, Clark of Benton; Clarke of Iowa; Close, Crawford, Danforth, Davis, Davisson, Draper, Dumont, Duncan, Durham, Ellsworth, Evans, Flenniken, Freeman, Gear, Goodspeed, Green, Hanson, Heberling, Hewett, Hopkirk, Hovey, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, McCoy, Mills, Morrison, Newbold, Peet, Perkins, Pratt, Reuther, Rohlf, Rule, Sezor, Stedman, Struthers, Tasker, Teale, Tufts, Van Deventer, Van Meter, Van Saun, Whitten, Williams, Wilson of Keokuk, Wilson of Tama; Wilson of Washington; Wood of Olay; Wood of Story; Wright of Mills; Wright of Van Buren; Mr. Speaker—76.

Those voting for Mr. Garner were—

Messrs. Ainsworth, Ballinger, Blakely, Campbell, Day, Dayton, Duncombe, Hall, Hilton, Irish, Merrell, O'Donnell, Paul, Reed, Sandry, Schweer, Skillin, Stewart, Stow, Tuttle—20.

Absent or not voting :

Messrs. Ericson, Hanan, Kaier, and Rice—4.

Whole number of votes cast.....	96
Mr. Safely received.....	76
Mr. Garner received.....	20

Mr. Safely having received a majority of the votes cast was declared duly elected Chief Clerk.

The House then proceeded to the election of First Assistant Clerk.

Mr. Butler nominated Ben. Van Steenberg, of Jackson county.

Mr. Reed nominated C. H. O'Brien, of Jackson county.

Those voting for Mr. Van Steenberg were :

Messrs. Appleton, Beatty, of Jasper; Bereshiem, Bergh, Blackman, Blake, Bliss, Bonewitz, Booth, Butler, Cadwell, Caldwell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Olose, Crawford, Danforth, Davis, Draper, Dumont, Duncan, Durham, Ellsworth, Evans, Flenniken, Freeman, Gear, Goodspeed, Green, Hanson, Heberling, Hewett, Hopkirk, Hovey, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, McCoy, Mills, Morrison, Newbold, Peet, Perkins, Pratt, Reuther, Rice, Rohlf's, Rule, Secor, Stedman, Struthers, Tasker, Teale, Tufts, Van Deventer, Van Meter, Van Saun, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren; Mr. Speaker—75.

Those voting for Mr. O'Brien were :

Messrs. Ainsworth, Blakley, Campbell, Day, Dayton, Duncombe, Hall, Hilton, Irish, Merrill, O'Donnell, Paul, Reed, Sandry, Schweer, Skillin, Stewart, Stow, Tuttle—19.

Absent or not voting—

Messrs. Ballinger, Beatty, of Cedar; Ericson, Hanan, Kaier, and Miller—6.

Whole number of votes cast .....	93
Mr. Van Steenberg received .....	74
Mr. O'Brien received .....	19

Mr. Van Steenberg having received a majority of all the votes cast was duly elected First Assistant Clerk.

The House proceeded to the election of Second Assistant Clerk.

Mr. Wright, of Mills, nominated H. A. Copeland, of Mills Co.

Mr. Blakely nominated Wm. C. Ewing, of Davis county.

Those voting for Mr. Copeland were :

Messrs. Appleton, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Bliss, Bonewitz, Booth, Butler, Cadwell, Caldwell, Cardell, Carver, Clark, of Benton, Clarke, of Iowa; Olose, Crawford, Danforth, Davis, Davisson, Draper, Dumont, Duncan, Durham, Ellsworth, Evans, Flenniken, Freeman, Gear, Goodspeed, Green, Hanson, Heberling, Hewett, Hopkirk, Hovey, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, McCoy, Miller, Mills, Morrison, Newbold, Peet, Perkins, Pratt, Reuther, Rice, Rohlf's, Rule, Secor, Stedman, Struthers, Tasker, Teale, Tufts, Van Deventer, Van Meter, Van Saun, Whitten, Williams, Wilson, of Keokuk, Wilson, of Washington; Wood,

of Olay; Wood, of Story; Wright, of Mills; Wright, of Van Buren; Mr. Speaker—76.

Those voting for Mr. Ewing were :

Messrs. Ainsworth, Ballinger, Blakely, Campbell, Day, Dayton, Duncombe, Hall, Hilton, Irish, Merrell, O'Donnell, Paul, Reed, Sandry, Schweer, Skillin, Stewart, Stow, Tuttle—20.

Absent or not voting :

Messrs. Ericson, Hanan, Kaier, and Wright, of Van Buren—4.

Whole number of votes cast.....96

Mr. Copeland received.....76

Mr. Ewing received.....20

Mr. Copeland having received a majority of all the votes cast was declared duly elected Second Assistant Clerk.

The House then proceeded to the election of Engrossing Clerk.

Mr. Williams nominated Miss Mattie A. Locke, of Benton county.

Mr. Merrill nominated A. P. Durkin, of Clinton county.

Those voting for Miss Mattie A. Locke, were

Messrs. Appleton, Beatty of Cedar, Beatty of Jasper, Beresheim, Bergh, Blackman, Blake, Bliss, Bonewitz, Booth, Butler, Cadwell, Caldwell, Cardell, Carver, Clark of Benton; Clarke of Iowa; Close, Crawford, Danforth, Davis, Davisson, Draper, Dumont, Duncan, Durham, Ellsworth, Evans, Flenniken, Freeman, Gear, Goodspeed, Green, Hanson, Heberling, Hewett, Hopkirk, Hovey, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, Maxwell McAllister, McClure, McCoy, Miller, Mille, Morrison, Newbold, Perkins, Pratt, Reuther, Rice, Rohlf, Rule, Secor, Stedman, Struthers, Tasker, Teale, Tufts, VanDeventer, Van Meter, Van Saun, Whitten, Williams, Wilson of Keokuk; Wilson of Washington, Wood of Olay; Wood of Story; Wright of Mills; Wright of Van Buren; Mr. Speaker—76.

Those voting for A. P. Durkin were

Messrs. Ainsworth, Ballinger, Blakely, Campbell, Day, Dayton, Duncombe, Hall, Hilton, Irish, Merrell, O'Donnell, Paul, Reed, Sandry, Schweer, Skillin, Stewart, Stow, Tuttle—20.

Absent or not voting—

Messrs. Ericson, Hanan, Kaier, and Peet—4.

Whole number of votes cast.....96

Miss Mattie A. Locke, received.....76

A. P. Durkin, received.....20

Miss Mattie A. Locke having received a majority of all the votes was declared duly elected Engrossing Clerk.

The House then proceeded to the election of Enrolling clerk.

Mr. Wood of Story nominated Mrs. Laura A. Berry of Story county.

Mr. Stow nominated Perry Coles of Fremont county.

Those voting for Mrs. Laura A. Berry, were.

Messrs. Appleton, Beatty of Cedar, Beatty of Jasper; Beresheim, Bergh, Blackman, Blake, Bliss, Bonewitz, Booth, Butler, Cadwell, Caldwell, Cardell, Carver, Clark of Benton; Clark of Iowa; Close, Crawford, Danforth, Davis, Davisson, Draper, Dumont, Duncan, Durham, Ellsworth, Evans, Flenniken, Freeman, Gear, Goodspeed, Green, Hanson, Heberling, Hewett, Hopkirk, Hovey, Johnson, Kasson, Keables, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, McCoy, Miller, Mills, Morrison, Newbold, Peet, Perkins, Pratt, Reuther, Rice, Rohlf, Rule, Secor, Stedman, Struthers, Tasker, Teal, Tufts, Van Deventer, Van Meter, Van Saun, Whitten, Williams, Wilson of Keokuk; Wilson of Washington; Wood of Clay; Wood of Story; Wright of Mills; Wright of Van Buren; Mr. Speaker—Total, 77.

Those voting for Perry Coles, were

Messrs. Ainsworth, Ballinger, Blakely, Campbell, Day, Dayton, Duncombe, Hall, Hilton, Irish, Merrell, O'Donnell, Paul, Reed, Sandry, Schweer, Skillin, Stewart, Stow, Tuttle.—Total, 20.

Absent or not voting—

Messrs. Ericson, Hanan, and Kaier—Total, 3.

Whole number of votes cast.....	96
Mrs. Laura A. Berry received.....	77
Perry Coles received.....	20

Mrs. Laura A. Berry having received a majority of all the votes cast was declared duly elected Enrolling Clerk.

The House then proceeded to the election of Sergeant-at-Arms.

Mr. Beresheim nominated C. W. Sherman, of Montgomery county.

Mr. Tuttle nominated Louis Bitting, of Polk county.

Those voting for C. W. Sherman were:

Messrs. Appleton, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Bliss, Bonewitz, Booth, Butler, Cadwell, Caldwell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Davisson, Draper, Dumont, Duncan, Durham, Ellsworth, Evans, Flenniken, Freeman, Gear, Goodspeed, Green, Hanson, Heberling, Hewitt, Hopkirk, Hovey, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, McCoy, Miller, Mills, Morrison, Newbold, Peet, Perkins, Pratt, Reuther, Rice, Rohlf, Rule, Secor, Stedman, Struthers, Tasker, Teale, Tufts, Van Deventer, Van Meter, Van Saun, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 77.

Those voting for Louis Bitting were :

Messrs. Ainsworth, Ballinger, Blakely, Campbell, Day, Dayton, Duncombe, Hall, Hilton, Irish, Merrell, O'Donnell, Paul, Reed, Sandry, Schweer, Skillen, Stewart, Stow, and Tuttle—Total, 20.

Absent or not voting—Messrs. Ericson, Hanan, and Kaier—Total, 3.

Whole number of votes cast.....	97
Mr. Sherman received.....	77
Mr. Bitting received.....	20

Mr. O. W. Sherman having received a majority of all the votes cast was declared duly elected Sergeant-at-Arms.

Mr. Irish offered the following resolution, which was adopted :

*Resolved*, That the Speaker be authorized to appoint for this House a door-keeper, janitor, five messengers, and the requisite number of paper-folders.

On motion of Mr. Kasson, the temporary employees of the House were retained until the permanent ones be appointed by the Speaker.

Mr. Close offered the following resolution :

*Resolved*, By the House of Representatives the Senate concurring, that Squire Smith, late of the Sixteenth United States Colored Infantry, be appointed mail carrier for the Fourteenth General Assembly, during its present session.

Mr. Irish moved to amend by striking out Square Smith and insert the name of Hi Hatch.

Mr. Butler moved to amend the amendment by substituting Russell.

The motion to amend the amendment was lost.

The motion to amend did not prevail.

Mr. Pratt moved to amend by inserting Ezra Rathburn.

The motion did not prevail.

Mr. Irish moved to amend by inserting Mr. Johnson, of Polk.

The motion did not prevail.

Mr. Newbold moved to amend by inserting Mr. Brazee, of Polk.

The motion did not prevail.

The resolution was adopted.

The Chief Clerk of the House, the First and Second Assistants, the Sergeant-at-Arms, came forward to the desk and were sworn in by the Speaker.

Mr. Newbold offered the following resolution, which was adopted :

*Resolved*, That the several clergymen in actual charge of the churches in the city of Des Moines, or visiting clergymen, be invited to officiate as Chaplains of the House, and that they arrange among themselves the order in which they shall officiate, and that the Speaker appoint a committee of three to carry out this resolution :



Mr. Kasson offered the following resolution :

*Resolved*, That the regular reporters of the daily press be provided with seats on this floor, and allowed the usual stationery for the performance of their duties.

Mr. Morrison moved to amend: Providing the amount does not exceed two dollars per week—which was adopted.

The resolution as amended was then adopted.

Mr. O'Donnell, of Dubuque, offered the following resolution, which was adopted :

*Resolved*, That the Secretary of State be directed to furnish the members of the House a copy of the Revision of 1860, and of the statutes passed subsequent thereto, the latter bound in one volume.

On motion of Mr. Irish, Messrs Campbell and Hewett were appointed a committee to wait upon the Senate and notify them that the House was organized and ready to proceed to business.

Mr. Dumont moved that the House adjourn until to-morrow morning at 10 o'clock.

The motion prevailed.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
Des Moines, January 10, 1872.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. J. H. Swope.

Journal of yesterday read and approved.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER : I am directed to inform your honorable body that the Senate has passed the following resolution, in which the concurrence of the House is asked :

*Resolved*, By the Senate, the House concurring, that Al. Swalm, be elected postmaster, J. N. Edwards, assistant-postmaster, and Ezra Rathburn mail carrier of the Fourteenth General Assembly.

J. A. T. HULL, *Secretary*.

The Speaker announced the following officers for the House, viz :

*Door Keeper*—John Hunter.

*Janitor*—J. H. Hills.

*Assistant Janitor*—H. S. Morgridge.

*Paper Folders*—James F. Burgess, Eva Chapman, Sallie Griffith.

*Messengers*—F. C. Swan, Frank Crocker, Anthony Reel, Onda M. Miller, Frank R. Keffer.

Mr. Goodspeed moved that a committee of two be appointed to wait upon the Governor and inform him that the House is organized and ready to proceed to business.

The Speaker announced as such committee, Messrs. Goodspeed and Kasson.

Mr. Irish moved to take up the message from the Senate, which motion prevailed.

On motion of Mr. Butler, the House refused to concur in the concurrent resolution contained therein.

Mr. Butler moved that a Committee of Conference be appointed, which motion prevailed.

The Speaker appointed as such committee, Messrs. Butler, Irish, and Stedman.

#### MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor, by his Private Secretary.

#### *Gentlemen of the Senate and House of Representatives:*

The period fixed by the constitution for the biennial meeting of the General Assembly having arrived, I congratulate you upon the favorable auspices under which you meet. Our State has been greatly blessed and prospered since you last assembled. We have had favorable seasons and bountiful crops, and our commonwealth has been strengthened by a continual influx of a thrifty and enterprising class of people. While other parts of our country have suffered from the most disastrous conflagrations in the world's history, and while other lands have been terribly devastated by pestilence and famine, by wind and flood, we have been providentially spared these afflictions.

**FINANCES**—The report of the Auditor of State, which is before you, and that of the Treasurer of State, which is submitted herewith, for the fiscal term ending November 4th, 1871, shows a continued increase in the resources of the State. Upon comparison with the financial reports presented at the last General Assembly, it will be seen that there is a large increase in the amount yielded by the ordinary sources of revenue. Direct taxation, for instance, produced \$184,244.11 more than in the previous term, although the levy in the later term was twenty per cent less than in the earlier. The revenue from railroads shows an increase of \$19,364.71, notwithstanding a reduction for the last year, in the proportionate amount of revenue from this source coming into the State

Treasury of sixty per cent; and the taxes collected from insurance companies indicate a gain of \$28,627.87. The heavy payments by the general government during the two years ending November 1st, 1869, amounting to much the greater part of our remaining claim on account of expenses incurred by the State because of the war, reduced very materially the revenue to be expected from that source; hence the receipts therefrom during the last two years were nearly \$300,000 less than during 1868 and 1869. The gross receipts of the revenue during the term were \$1,769,522.91, which, with the balance in the treasury, November 1st, 1869, made the amount of available means during the term, \$2,055,683.07. The expenditures were \$1,973,942.23. Balance of general revenue in the treasury, November, 6th, 1871, \$81,840.84. The warrants issued during the period amounted to \$1,972,930.78, of which \$666,615.74 were issued for the use and support of the various public institutions of the State; \$626,031.29 were drawn for the erection, enlargement, and improvement of public buildings; and \$58,264.24 went to objects of a special or extraordinary character, for which the legislature has at various times made appropriations—such as the Geological Survey and report, the encouragement of immigration, the reunion of Iowa soldiers, republication of Supreme Court reports, etc. The balance of the warrants issued, amounting to \$622,019.51, very nearly represents the regular and ordinary expenses of the State government. These, it will be seen, constitute only a little more than one-third of the entire expenditures of the State.

I invite your attention to the recommendations of the financial officers of the State, whose long experience, whether in the legislative halls or in public office, gives additional value to their suggestions.

Among the valuable tables presented in the report of the Auditor of State is one setting forth the objects and amounts of taxation general and local, throughout the State, for the year 1870. From this we learn that the grand aggregate of the levies is \$9,371,685.76. The total valuation upon which this taxation was based was in the neighborhood of \$300,000,000, making the levy some  $3\frac{1}{8}$  per cent. This is a heavy—not to say oppressive—rate of taxation. To be sure, it is based on a great undervaluation of property; upon actual value it would probably be about one and a quarter per cent,—certainly not more than one and a half. But this rate, it will be remembered, is an average one throughout the State, and implies, of course, a higher rate in some localities. In fact, a rate twice as high, does actually prevail in some parts of the State. It is true that much the larger part of this amount of taxation is levied by the people themselves, or by their immediate representatives in city, township, and school boards. Nevertheless, I suggest to the legislature the propriety of adopting a maximum limit of taxation to which any property may be subjected in one year. At present,

the following are the maximum rates that may be levied by the proper authorities so far as the same are designated by law :

State .....	2 mills.
County, for ordinary revenue....	4 mills.
County, for schools.....	2½ mills.
County, for bridges .....	3 mills.
Township, for roads.....	5 mills.

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Total ... .. 16½ mills.

In addition, school-boards are authorized to levy a tax for contingent fund, and one for teachers' fund, sufficient, with the annual apportionment, to sustain school twenty-four weeks in each year, and longer, if desired by sub-districts.

The people may vote additional taxes as follows :

County, for public buildings, etc .....	10 mills.
County, for high schools .....	5 mills.
Township, for railroads .....	50 mills.
School district, for erection of school-house.....	10 mills.
Sub-district, additional, for erection of school-house.	5 mills.

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Total..... 80 mills.

The foregoing statements do not include taxes in cities and towns, where as high as twelve and a half mills may be raised for revenue, sinking-fund, and library, besides the five per cent. railroad tax which may be voted ; nor yet any special levies to meet interest and principal of bonded debt of county, town, or school-district. It will be seen, however, that as high as ninety-six and a half mills of taxes may be levied upon property within a given sub-district. In cities and towns, the levy may, of course, be much higher, partially because of municipal expenses, but mainly because of the fact that cities and towns may also tax themselves in aid of railroads, so that there may be two five per cent. levies—those of the township and the municipal corporation—upon the same property at the same time. This would make a possible aggregate of fifteen dollars and ninety cents upon a hundred dollars, aside from amount raised for teachers' and contingent funds, for the payment of judgments and on account of bonded indebtedness. I am personally cognizant of an independent district where, on account of two of these three items, a tax of three and a half per cent. has been levied for the year 1871. To my mind, five per cent. is as high a rate of taxation as should be levied upon any property in any one year, exclusive of amounts necessary on account of bonded indebtedness.

As a judicious step towards such limitation, I recommend the

repeal of the acts of 1868 and 1870, allowing townships, &c., to tax themselves to aid in building railroads. Under these acts, or more properly that of 1870, the sum of \$1,077,703.38 was levied in that year. It is fair to estimate that an equal amount was voted in 1871; in all, over \$2,100,000.00. It is believed that most of this outlay has been well invested and will bring ample return in increased commercial facilities, influx of population, and development of resources, to the communities interested. Nevertheless, the policy is at best a questionable one, to be justified only because of the great benefit expected from it, to be retained only for a time, and by no means to become part of the permanent law of the State.

At the last session of the General Assembly a new act upon this subject was passed with greater restrictions, the act of 1868 having been declared unconstitutional by the Supreme Court. The constitutionality of the new act was also called in question; but it was sustained by the Supreme Court at its December term, 1870, in the case of *Stewart vs. Supervisors of Polk county*. At the same term, in the case of the *McGregor & Sioux City Railroad Co. vs. Birdsall*, the Court virtually overruled the former decision as to the act of 1868. Thus both statutes may now be considered operative; the later act not repealing the earlier, nor in conflict with it; although doubtless it was the intention of the Legislature that the new statute should supercede the other.

The revenue received from the railroads during the last two years amounted to \$292,377.14, of which \$90,171.88 was retained in the State treasury, the balance being paid to the counties, respectively, through which the road run. It is manifest that the counties now receiving the revenue from this source, also, enjoy, mainly, the benefits and advantages consequent upon the building of the roads. They are afforded by these arteries the speediest access to the markets of the world, and consequently the best prices for their products. On the contrary, those parts of the country which do not enjoy any of this revenue are deprived of all the facilities afforded by these great works of improvement, and are compelled to transport their products long distances to the railroad lines, and really pay tribute to the more fortunate localities. I would suggest, as a measure of justice to all parts of the State, that the entire proceeds of this tax be paid into the State treasury, believing such the most equitable disposition thereof that can be made. The increased revenue thus derived would be of service in the construction of the public buildings, and the improvements and the various institutions that will be needed during the coming two years.

**INDEBTEDNESS.**—The debt of the State, exclusive of bonds issued to the school-fund, remains as stated in my former message, viz.: \$300,000, in war and defense bonds. This debt will become due in 1881. I recommend that authority be given, under proper restrictions, for the purchase of the bonds and the early extinguishment of the debt. The disposition I have suggested of the railroad taxes would materially assist in bringing about this consummation.

**PUBLIC LANDS.**—The report of the Register of the State Land Office is herewith submitted. It contains additional lists of lands granted by the General Government for various purposes. From this report, in connection with that from the same office two years ago, we find that the grants to the State for all purposes amount to 7,282,835.35 acres, of which 4,800,152.11 acres were for works of internal improvement under the acts of Congress of 1846, 1856, and 1864. In addition to this munificent gift, the Register reports that the railroads have received direct, from the general government, under the act of June 2, 1864, the amount of 597,996.24 acres, making a grand aggregate for railroads and the Des Moines River Improvement, in the State of Iowa, of 4,898,148.35 acres, or nearly fourteen per cent of the entire area of the State.

The Dubuque, Bellevue & Mississippi Railway Company having filed its acceptance of the provisions of chapter 73 of the acts of the last General Assembly, I caused to be selected the amount of lands designated by such chapter for the construction of the Tete des Morts branch of the Dubuque & Sioux City Railroad, and approved such list September 22, 1870. This road was completed during the past month, and I have caused patents to be issued for the lands referred.

On the 21st of October, 1870, upon proper evidence, I certified to the Department of the Interior, the completion of the C. R. & M. R. R. Co. of a piece of road from Pearl street, Lyons City, to the Chicago, Iowa and Nebraska Railroad, within the limits of the city of Clinton.

On the 12th day of November, 1870, I certified to the same department, the completion of two sections of the Iowa Falls and Sioux City Railroad; and on the 9th of March, 1871, I further certified to the completion of that road entire from Iowa Falls to Sioux City. The certificate being satisfactory to the Department of the Interior, I caused patents to be issued to said company for its *pro rata* share of the Dubuque and Pacific Grant, save the land to which settlers had made proof of claims.

The proper officers having filed with me the necessary evidence, I, upon the 5th day of December, 1870, certified to the completion of the McGregor & Missouri River Railway to Algona.

The Des Moines Valley Railroad Company, having completed its road to Fort Dodge, on the east side of the Des Moines river, in the month of December, 1870, of accordance with chapter 57, acts of the Twelfth General Assembly, I caused patents to be issued to that company for the lands reserved by said act for the construction of the road above Des Moines, and the payment to it of the moneys received for lands sold S. H. Taft under Chapter 108 of the Acts of 1864. I also caused patents to be issued to Mr. Taft.

The whole amount of lands patented during the biennial term amounted to 404,000 acres.



**COMMON SCHOOLS.**—The very able report of the late Superintendent of Public Instruction, will be before you. I earnestly commend to your attention the thoughtful and elaborate articles upon the various subjects coming within the purview of the duties of that officer, as well as the suggestive statistical information, presented in the report. The number of districts is 1594—an increase of 132 in the two years since the last report. There are 7,841 schools against 7,009 two years ago. The number of youth within the school ages is 461,258, of whom 342,440, or 74½ per cent, were enrolled during the past year; and the average attendance was 211,726, or nearly 46 per cent. Two years ago the number enrolled amounted to less than 71 per cent; and the average attendance equalled only 42.65 per cent of the enumeration. The constant and steady increase of the number of those enjoying school-privileges, as compared with the whole number entitled to them, I regard as one of the strongest evidences that our beneficent system of common schools is continually enlarging the sphere of its usefulness, and gradually bringing within the scope of its inestimable privileges, all the youth of the State. The value of school-houses and apparatus is \$6,916,490.16. The increase in the amount of capital thus invested during the terms has been \$1,541,947.66, or about twenty-nine per cent.

I cordially commend to your consideration the forcible remarks of the Superintendent upon the sub-district system, and unite with him in urging its abolition. I am fully persuaded that the school-districts should be substantially co-extensive with the civil townships, incorporated towns, and cities; in other words, that there should not be any distinct territorial organization other than those well-defined political divisions with which we, in common with the people of most of the States, are so familiar. The system of sub-districts, as it prevails in Iowa, is peculiar to this State, and was adopted as a compromise between the small district plan formerly in vogue, and the more modern one of township organization now so generally adopted throughout the North. In my opinion, it has lasted long enough to establish the superiority of the system whose adoption it impedes, and to furnish another illustration of the general inutility of compromises in establishing anything permanent.

I cannot omit calling the attention of the legislature to the timely suggestions of the Superintendent of Public Instruction, looking to the establishment of a system of graded normal schools at convenient points throughout the State. All will acknowledge the necessity of professional training on the part of the teacher for the duties and responsibilities of the school-room, and the actual advantage, in the way of true economy, to our public schools, of supplying them with teachers formally prepared for their work by proper normal drill. There can no longer be any doubt that these desirable objects can be best effected through the instrumentality



of the normal school. For years this branch of our public school system has been sadly overlooked, more, as it seems to me, because there was not at hand a scheme or normal instruction that would commend itself as in the main adapted to the necessities of the case, and that would not at the same time make extravagant demands on the munificence of the State. In both these respects, I think the plan submitted will meet with the approval of the legislature.

The claims of the schools in our rural districts, and the lower departments of our graded system, to a larger share of the fostering supervision of the State, as furnishing the mass of our citizens with all the education they ever acquire, and with sufficient, if well imparted and well received, for the practical necessities of life, are made prominent in this scheme, which proposes to bring the primary normal school within reach of the teachers in these grades. It will appear from the exhaustive paper on that subject in the Superintendent's report, that the plan of primary normal schools, tributary to some central higher institution of the kind, may be so arranged in details, as to involve no great expense to the State; and I think I may with confidence say, that such facilities for the training of our teachers will refund to our school system, and to the general weal of our commonwealth, such results as will be more than an equivalent for the money thus expended.

THE STATE UNIVERSITY.—My official relation to the State University as President of the Board of Trustees, and afterwards of the Board of Regents, has afforded me ample opportunity to become acquainted with its condition and claims, and I feel justified in bearing my unqualified testimony to its very great value, as standing at the head of our noble system of public education. My personal observation, for the last four years, fully confirms the opinion of numerous competent judges, that the courses of study; the learning, experience, fidelity, and zeal of the instructors; the proficiency in scholarship and the orderly conduct of the students the controlling idea and general plan of the University; its adaptation to the educational wants of the people; and its progressive character, entitle it to a high rank among the institutions of its class in the northwestern part of our country. The reports of the Board of Regents, and the President of the University, contain a full and detailed account of its affairs, and will afford information that will enable you to judge for yourselves concerning its whole organization, the facilities it offers for the highest mental culture, and the extent to which those facilities are availed of, by the youth of our own and other States. I earnestly recommend that you give these reports a thorough examination, and am confident that you will be convinced by them of the wisdom of securing the continued prosperity and enlargement of the University, by a liberal appropriation for its support during the next two years. I would also recommend the passage of a bill, providing, from the revenue of

the State, a permanent income for this great and important institution of learning, so that the Regents and Faculty may be able to carry out every reasonable plan for its improvement in all its departments and interests, free from the embarrassments arising from the uncertainty of biennial appropriations.

Soon after the last meeting of the General Assembly, Rev. Dr. Black closed his short but successful career as President of the University. The Board of Regents was fortunate in securing for his successor a citizen of our own State, of great worth and eminent ability, who entered upon his duties at the close of the last year of the University.

**PERMANENT SCHOOL FUND.**—The indebtedness of the general revenue to the school fund has increased during the fiscal term \$8,558.14, being the amount of loss audited in said fund in the several counties of the State. The whole amount now held by the general revenue is \$243,056.15, earning for the fund eight per cent. per annum. The first named sum, the constitution requires, must remain a permanent charge against the State; and I believe such should be the case with this entire indebtedness to the school fund, deeming it to be the best investment of the same that can be made. The gross amount of the fund in \$3,161,483.01, an increase of \$228,856.97 since the report of 1869. The income derived from this fund during the past two years, and apportioned among the counties, amounts to \$464,467.38, or about 15½ per cent. of the fund.

During the past two years, with the advice and consent of the Census Board, under chapter 32, acts Ninth General Assembly, I disposed of 218.13 acres of land in Decatur and Polk counties for \$3,141.30, averaging \$14.40 per acre; and three lots in the city of Keokuk, for the sum of \$1,100. These lands and lots were a part of the securities for the Eads' loans. The constitution of the State provides that "all losses to the Permanent School or University Fund of this State which shall have been occasioned by the defalcation, mismanagement, or fraud of the agents or officers controlling and managing the same, shall be audited by the proper authorities of the State." Under this provision, as before stated, the sum of \$8,558.14 has been funded on account of losses since the adoption of the present constitution. A question has arisen whether this provision is intended to include defalcations happening under the former constitution of the State. The language may be so construed, yet it is not without doubt. If in the opinion of the General Assembly it may be constitutionally done, I would recommend that all losses to the fund since the admission of the State, be assumed by the State, and interest paid thereon. And here I would suggest that the rate of interest paid by the State upon this class of debt be increased to ten per cent. The law now provides that money loaned to parties from this fund, since July 3,

1870, shall draw that rate, and has always required it upon notes given for purchase of school lands.

**THE LIBRARY.**—The report of this officer shows an increase in the number of volumes in the library of about 4,000, comprising a very full collection of English, Scotch, and other law reports, as well as valuable treatises and text-books. I recommend that the fees received for notarial commissions and for commissioners, be appropriated for the support, improvement, and enlargement of the library. I would also recommend that the law in reference to the library be revised, and a reasonable compensation be allowed the librarian.

On the 8th day of September last, the Librarian, JOHN CARPENTER MERRILL, departed this life after a short illness. He was a young man of much promise, of great energy, and of high integrity. Combined with these traits, his knowledge of books and love of order made him eminently useful in the office intrusted to him. He re-arranged and thoroughly systematized the library, making it a model of order and neatness, and had established a high reputation as one of the most efficient public librarians in the country. In his early death, the State lost an excellent officer, and the community a worthy young citizen.

**MILITARY MATTERS.**—The present militia law of this State, so as far as a well-organized militia is concerned, is almost a dead letter. We should have a small militia force, well organized, thoroughly equipped, and with efficient officers and well drilled men, ready for any emergency in State or nation. Fifty companies, perhaps, with fifty men each, in as many localities, the members required to drill a limited number of days in each year, and paid for the time spent therein, would, in my estimation, give us a force at once ample and efficient. The details of any plan would be subject to your deliberation and action. The suggestions of the Adjutant-General, upon this subject, in his report herewith transmitted, as well as in former reports, are worthy of consideration. Exemption from jury duty and poll-tax should be extended to active members of military companies, as well as to those of fire companies.

The suggestions of the Adjutant-General in relation to the publication of a general index of all Iowa soldiers, and the cemetery records, are submitted to your consideration and determination.

Application has been made by the War Department for the consent of the State of Iowa to the purchase by the United States, of the National Soldiers' Cemetery, at Keokuk, described "as fractional block No. 107, and lots 1, 2, 3, and 4, of block No. 108, in "Mason's Lower Addition" to that city. I recommend that the General Assembly grant the consent asked.

In the laying out of these grounds, space has been left in the center for the erection of a monument to the gallant dead who repose there. As over eight hundred Iowa soldiers, belonging to

all parts of the State, lie buried in the cemetery, it has been thought well that the State should erect the proposed monument. I submit the matter for such action as you may deem advisable.

**CLAIMS AGAINST THE GENERAL GOVERNMENT.**—On the 5th day of February, 1870, I received at the hands of Colonel John N. Dewey, commissioner to adjust war and school-fund claims against the government, and paid over to the Treasurer of State, the sum of \$85,079.64, on account of claims for expenses incurred in raising troops to aid the federal government in suppressing rebellion, filed January 7, 1869. The aggregate amount received from the federal government because of these claims, (including those on account of the "Ink-pa-du-tah raid," at Spirit Lake, in 1857,) is \$952,741.27.

On the 11th day of March, 1870, I received, through the same channel, the sum of \$20,886.51, and on the 3d day of August, 1871, the further sum of \$15,250.16, on account of the five per cent. due the State of the receipts from sales of public lands. For these sums, I hold the Treasurer's receipts.

The report of the Commissioner, submitted herewith, shows that the remaining claim on account of the "Ink-pa-du-tah raid," amounting to \$871.84, has been recovered; and that of the claim on account of payments to officers and men of the First Iowa Cavalry, \$20,266.78, has been allowed, and with the former sum placed to the credit of the State. Two years ago the Commissioner thought it not impossible to collect within ten per cent. of the gross amount claimed. This point has now almost been reached, there remaining not yet allowed only \$116,874.89, or rather less than eleven per cent. of the aggregate claim; and the Commissioner hopes to obtain between \$40,000 and \$50,000 more. Whether this amount be obtained or not, the State has abundant reason to be satisfied with the success of this commission.

**PUBLIC INSTITUTIONS.**—The reports of the Trustees and officers of the various public institutions and Boards of the State will be laid before you as soon as printed. These will inform you as to the workings and needs of the respective public charities and enterprises. In connection herewith, I would state that I have asked the presiding officers of several of the institutions to prepare addresses to be delivered before the members of the General Assembly during the session, upon subjects connected with their respective charges, if it shall please the two houses of the legislature to second my request by extending the necessary invitation. In my opinion, no better opportunity can be afforded the members of the legislature (except by personal inspection) for obtaining a knowledge of the workings of our various institutions.

**BLIND.**—The number of pupils at the Institution for the Education of the Blind, during the term, was 125—an increase of 43 over number attending the previous term. Of this number, 65 were admitted during the two years—about twice as many as during

any previous term. Since the institution was founded, 248 persons have enjoyed its advantages, and been more or less fitted to care for themselves in life.

The crowded condition of the institution is forcibly depicted in the report of the Trustees. The necessity for the enlargement of the building by the erection of the north wing, would seem to be urgent. The sum of \$100,000 is asked by the Board for the purpose of constructing, heating, and furnishing this addition to the building. The superintendent also suggests an allowance for raised maps, for apparatus for use in the study of physiology, and for a printing press. I particularly commend to your attention the remarks of that officer upon the last named topic.

The expenses of the institution during the term were \$49,007.47. The expenditures for improvements ordered by the General Assembly were \$29,633.65; and for the Industrial Home \$649.86. The support of this institution is provided for by the payment from the State treasury of the sum of forty dollars per quarter for each pupil, and for current expenses of the further sum of \$8,000 per annum. An Industrial Home was provided for by the last General Assembly; but owing to the large number pressing for admission into the school, only six could be received into the Home during the term, and still less, it is thought, can be accommodated during the next two years.

I would suggest that the General Assembly fix definitely the name of this institution. It is called in the act organizing it the "Asylum of the Blind," but in most subsequent acts it is incidentally denominated the "Institution for the Education of the Blind." The latter, or a shorter title with the same significance, would be preferable. "Asylum" is evidently not a proper designation.

INSTITUTION OF THE DEAF AND DUMB.—In the month of December, 1870, the school of the Institution of the Deaf and Dumb opened in the new building at Council Bluffs, with ninety-one pupils in attendance. The whole number in the school during the two years was 119—an increase of seven over the previous term.

The State contributes to the general support and current expenses of this Institution the same amount *pro rata* and annually as to that of the blind. This appropriation drew from the State treasury during the past two years \$39,620. The expenses for the same time were \$42,914.13. The report of the Trustees and Superintendent represent a condition of the building not favorable to a high degree of comfort or economy. I recommend to your attention the remarks of the Trustees thereon. This badly finished structure affords an unfavorable commentary upon the contract system in erecting public buildings: a commentary which is borne out by the history of many similar undertakings in our own and other States. Appropriations are asked by the Board of \$10,000 for out-houses, gas-house, furniture, &c., and of \$5,000 to be refunded, being amount expended for furniture, out of funds of the



school; likewise the sum of \$100,000 for finishing the other wing of the building, and for grading the grounds. The Board also deem the appropriation for current expenses too small, and ask that the same be enlarged to twelve thousand dollars per annum.

The expense attending the construction of this building amounted to \$144,856.07. To this sum must be added the amount due the contractor, viz.: \$14,940.04, less deductions for unfinished and imperfect work. To meet whatever may be found thus due the contractor there is an unexpended appropriation of \$15,143.93.

**HOSPITALS FOR THE INSANE.** The grounds of the Hospital for the Insane at Mt. Pleasant have been enlarged by the purchase of some forty-eight acres of land adjoining. The improvements provided for by the last General Assembly, have been satisfactorily made. The land and improvements cost \$40,275.62. The current expenses for the term amounted to \$217,679.32. The number admitted to the Hospital during the term was 520, and the average present, 441.45. At the close of the term there were 510 under treatment; and this number has since been increased to 518. When it is remembered that the building is intended to accommodate less than 800 patients, the overcrowded condition of the house becomes at once apparent. This state of affairs will continue until the building at Independence is ready for occupancy. I commend to attention the able report of the Superintendent, and would respectfully ask for it a careful examination. His suggestion of a separate institution for the epileptic and the hopelessly insane, I deem especially worthy of your consideration. The Board of Trustees ask the sum of \$27,900 for various improvements and for contingencies.

The building at Independence progressed rapidly until the appropriation was exhausted. Three sections of the north wing, the engine-house, and the rear center building are now covered and inclosed, and the foundation and basement walls of the remaining section are up. The foundation of the chimney is laid, and the air air-ducts are nearly finished. The outlay since the previous report has amounted to \$231,551.44. From personal inspection, I am satisfied that the work on this building has been well done.

To prepare this Hospital for the reception of patients, it will be necessary not only to complete the parts already commenced but to construct the main center building. To do this, it is estimated, will require \$200,000. In view of the urgent demand for the early completion of this building sufficiently for the reception of patients, I would recommend the immediate passage of a joint resolution, authorizing the Commissioners to employ such labor as may be profitably used during the present winter months. This action would continue the work until an appropriation could be made and become available.

I have recently received the resignation of Hon. Geo. W. Bemis, one of the Commissioners appointed by act of the last General

Assembly. It being so near the time of your session, I have made no appointment of a successor.

**AGRICULTURAL COLLEGE.**—The State Agricultural College, during the past two years, has made good progress toward perfecting its facilities for educational work. In that time the farm has been greatly improved by fencing and bringing into cultivation several hundred acres more of land; by additional buildings, wells, and implements; and by increasing the herd of blooded stock; thus greatly enhancing its value as an experimental and model farm. An orchard and an experimental garden have been established; a workshop erected, and furnished with tools and machinery; a chemical laboratory constructed, and fitted up with apparatus; and a beginning made in collecting physical apparatus. The library and museum have received considerable accessions, though yet quite inadequate to meet all demands. The grounds around the College building are greatly improved by the construction of drives and the planting of trees and shrubs. In all these improvements the progress has been quite as rapid as the means at hand would allow.

The income of the College, derived entirely from the Congressional endowment fund, amounts to between \$30,000 and \$35,000 per year. This fund cannot legally be applied for any other purpose than the "support and maintenance" of the College, and its use for the construction or repair of buildings is strictly prohibited.

The first senior class, numbering thirty, organized last fall, will graduate the present year. During the two years past, the attendance has been above two hundred students a year, and many had to be refused admittance on account of want of room. By the extension of the present building there will be accommodations, next spring, for about fifty more students, which, with the facilities for boarding outside the building, will enable the institution to receive an aggregate of two hundred and fifty. No doubt the institution would be filled if it had conveniences for double that number. In order that the College may go on with the work begun, some further State aid seems desirable. Additional buildings for students' rooms are required, to accommodate the many who are asking for admission. There is also a necessity for a physical laboratory, and for extending and enlarging the present chemical laboratory; for additional professors' houses; for further facilities for orchard, garden, and farm improvements; for larger gas-works; and for some provision for procuring an inexhaustible supply of pure water for the buildings. These enlargements and additions, the Board estimates, will call for at least \$100,000.

**SOLDIERS' ORPHANS' HOMES.**—Eleven hundred and twenty-eight children have enjoyed the benefit of these institutions, within the last two years; and 1930 since their foundation. The number present, November 1st, was 718, from 63 counties. The health of the Homes has been very good, there having been only two deaths



in an average attendance of 763. The grounds of the several Homes are becoming better improved every year. New buildings have been erected, among them one for chapel and school-rooms at Cedar Falls. The State contributes ten dollars per month for each orphan actually supported, which amounted, during the term, to \$183,490. The support of the orphans, and expenses of repairs, improvements, etc., for which special appropriations were made, for the same period, amounted to \$211,324.67. The Board asks appropriations for additional buildings at Glenwood, and for improvements, repairs, and furniture at all the Homes.

**PENITENTIARY OF THE STATE.**—The general support of the Penitentiary during the past two years, cost \$64,139.77. Of this amount \$2,127.59 was drawn directly or indirectly from the State treasury. In the previous term about one fifth of the entire amount needed for general support, was drawn from the treasury, and in that ending October 31, 1867, about two-fifths. As at present managed, therefore, it will be seen that the prison gradually approaches a self-sustaining basis. The sum of \$8.33 per month is allowed for each prisoner out of the State treasury, if needed. (Less than fifty cents per month was actually drawn during the last term.) The officers' and guards' salaries are fixed by law, and paid from the State treasury. The entire amount contributed by the State for these several items, and on account of special appropriations, during the last two years, was \$46,679.62.

The number of convicts incarcerated in the Penitentiary, Nov. 1, 1871, was 273; an increase of 61 since Nov. 1, 1869. A similar increase within the next two years will exhaust the present enlarged capacity of the prison. The question, then, urges itself upon your consideration, whether the present building shall be enlarged, or a site obtained for another prison, and an edifice commenced thereon forthwith. The State owns, at Fort Madison, a piece of ground to the westward of the prison-wall, to the extent of 235 feet. The Warden suggests that this piece, with 150 feet more, to be obtained by purchase, be included within the prison-walls. This extension, that officer estimates, will cost \$23,000. To enlarge the cell-room of the present building, which is necessary if anything at all be undertaken at Fort Madison, it is estimated, will cost \$21,000. No doubt these extensions, when completed, will answer the demands of the State for years; but it is believed that true economy lies in the direction of a second penitentiary building. At best, the improvement suggested at Fort Madison is only an expedient to bridge over the difficulty for a time. Sooner or later there will be renewed demand for additional prison room. Meantime, the expenses incurred in conveying convicts to the present distant Penitentiary will continue to bear very unequally upon the several counties, and will be larger in the aggregate than it would be were there another prison, more centrally located. I would,

therefore, renew the recommendation of my former message, that a site for a new penitentiary be selected, and would further suggest that provision be made for the erection of suitable buildings thereon. It is believed that a very small appropriation—not to exceed \$10,000—would be sufficient for the work which could be done in two years, convict labor being largely, almost entirely, employed upon it.

Under the contract for the labor of the convicts made pursuant to the act of 1864, the contractors were required to supply labor for only one hundred and fifty convicts. A modification of this contract enlarged the number to one hundred and seventy-five. This number was exceeded more than two years ago; but, as many were employed in various ways about the kitchen, dining-hall, and other appointments of the prison, there was then little or no surplus or unemployed labor. The appropriation by the last General Assembly for the increase of the number of cells furnished employment for such as there was for several months. Afterward, until February last, from fifty to seventy-five of the convicts were entirely unemployed. At that time, I made a contract for their labor, running to the first day of the present month, with Messrs. Soule, Kretsinger & Co., the present contractors for prison labor; a copy of this contract will be found in the Warden's report. A provision for this surplus, which is now again unemployed, will require your earliest attention.

The success of the humanizing and elevating influences at the prison has been most gratifying. The act of 1857, providing, as a reward for good behavior, a specified diminution of the term of punishment, has an excellent effect upon the conduct of the prisoners. Every conduct is of course anxious for as early a termination of his imprisonment as possible, and will naturally do everything, and leave undone nothing, that will tend to hasten his release. This natural inclination increases to anxiety as the period of deliverance approaches, lest he should lose the reward already earned. I attribute the admirable order which prevails at the penitentiary largely to the beneficent workings of this statutory provision. The revival of the Sunday-school a few years ago has been another efficient agency for good; and the library, the deprivation of the privileges of which is one of the modes of punishment, does its share toward the betterment of the prisoners. A judicious enlargement of such beneficent influences is well worthy the consideration of the enlightened legislator. In this direction I would suggest the establishment of an evening school, under the charge of a competent instructor. A reading-room might also be introduced as an additional reward for good behavior. It cannot be doubted that a part of the time between work hours and bed-time might be very profitably spent in reading and study, resulting in great benefit, and leading in many cases to thorough reformation. Thus the State, while holding every man to a strict account for his crime,

would yet place it in his power to return to society a better man. The subject of introducing these accessories as a reward for good behavior, I heartily commend to your early and favorable action.

The subject of prisons and prison discipline has attracted much attention of late, so much so, that it has been deemed advisable to hold a national convention to consider the subject. Accordingly, a convention met at Cincinnati, Ohio, in the month of October, 1870. To this body I deputed the Warden of the penitentiary to represent the State of Iowa. The deliberations of the convention, which was very largely attended, and whose sittings were protracted through several days, were of the most interesting character, and brought out much valuable information upon the various subjects connected with the management of prisons.

On the 31st day of December, 1874, the present contract for the main body of the prison labor will expire. Prior to that time, I would suggest that inquiries be instituted for the purpose of ascertaining the best mode of utilizing the labor of the convicts, with regard to both the financial and reformatory aspects of the question; and would recommend that a commission be created empowered to investigate the whole subject of prison management, discipline, and employment, as well as the means for effecting the largest amount of permanent benefit to the convicts; such commission to report to the next session of the General Assembly.

It is stipulated in the contract for the prison labor that the State shall furnish the necessary shop-room. Some time since the contractors built a foundry and an additional shop. These additions to the prison conveniences were needed, and consent was given by the State authorities for their erection, the contractors to await an appropriation by the General Assembly for their reimbursement. I recommend that such appropriation, to the extent of the amount found due the contractors, be made at your present session.

**REFORM SCHOOL.**—The number of inmates of the school at the close of the term was eighty-five, an increase of forty-five since the previous report. The school is full, and at one time the Trustees were compelled for a while to stop receiving any into the institution. A separate house for girls is imperatively needed. This state of affairs will remind you of the advisability of taking steps towards a permanent location and edifice. The expense of such edifice the Trustees place at \$75,000.

The expenses of the school for the term, including payment of note, with interest, given in former term, amounted to \$28,112.20. The State contributed \$22,000 to the income of the school, to which the farm, and other sources of revenue, added \$5,324.92. The expenses thus exceed the income \$787.28, and this notwithstanding what I deem the most rigid economy on the part of the Board and officials of the School. I am well satisfied that a small increase in the appropriation would be a judicious expenditure.

**STATE HISTORICAL SOCIETY.**—The State Historical Society continues its laudable work of collecting, preserving, and publishing the records of the settlement of the State and territory, and the deeds of our pioneers. As these early adventurers pass away, this work becomes more and more important. The Society receives an annual appropriation \$500; notwithstanding which, it finds its treasury, at the date of its report, overdrawn to the amount of \$33.97. The “Annals of Iowa,” the Society’s very excellent quarterly, the Board say may hereafter be considered a self-sustaining periodical. In order to extend the area of the Society’s usefulness, the Board asks an appropriation of \$3,000 per annum, and the erection of a fire-proof building for the preservation of its valuable collections.

**IMMIGRATION.**—The General Assembly, at its last session, made provision for a Board of Immigration, appropriating therefor the sum of \$5,000. Immediately upon appointment, the Board entered upon its labors. The small amount of the appropriation prevented any extensive system of canvassing our own and foreign countries by means of agents; and not to exceed \$500 was used in this manner. The effective work of the Board was mainly done through the instrumentality of a pamphlet compiled, under its direction, by its Secretary, Mr. A. R. Fulton, entitled, “Iowa the Home for Immigrants. Of this work, an able and invaluable compend of the resources of the State, sixty-five thousand copies, each containing a miniature map of Iowa, were printed, in the English, German, Dutch, Swedish, and Danish languages, and circulated widely throughout our own and other countries. A copy of this pamphlet was sent to every newspaper in the United States; this was followed by notices more or less extended in many of the leading journals of the country. The Board also distributed a great quantity of circulars containing information concerning the State. In addition, the Secretary has written several hundred letters, many of which have been published in Eastern newspapers. Several persons have acted without pay as agents for the Board, and some of them, I have reason to believe, with great efficiency. The several railroad companies, having land-grants, particularly the Burlington & Missouri River R. R. Co., have co-operated with the Board in its efforts. The railroads running through the capital, the B. & M. and Pennsylvania Central railroads, and the Hamburg Steamship line freighted the pamphlets free of charge.

The benefit derived from these efforts, it is believed, has amply repaid the outlay. Aside from the more manifest indications of accomplished results, in the shape of colonies which have been planted, in different parts of the State, that almost unprecedented growth of the newer counties of the west gives evidence that great work has been done.

The matter of affording increased facilities for emigrants coming

to the West, as well as to protect them from the impositions so constantly practiced upon them at the seaports, furnished the occasion for a national convention, which, in accordance with a call signed by the Governors of Minnesota, Iowa, Nebraska, Missouri, Kansas, Michigan, and Wisconsin, met at Indianapolis, Indiana, November 28d, 1870. At this convention, the Governor of six States and Territories were present, and twenty-two States, two territories, and the District of Columbia, were represented. Iowa was represented by several members of the Board of Immigration, its Secretary, and Mr. Louis A. Ochs, of Davenport. The Convention, after a thorough discussion of the subject, adopted, by a nearly unanimous vote, resolutions favoring legislation by Congress to prevent actual abuses and frauds, and protect the true interests of the emigrant; requesting the opening of negotiations with foreign countries, so as to secure joint jurisdiction upon emigrant ships; condemning all schemes combinations, and monopolies oppressive to emigrants; favoring a federal "Bureau of Immigration;" and declaring for the abolition of all capitation taxes collected from emigrants. Bills have been framed and presented to Congress in accordance with these resolutions, and the indorsement of the legislatures of the States interested, has been asked.

**THE NEW CAPITOL.**---The act of the last General Assembly providing for the erection of a new State capitol appropriated the sum of \$150,000, for commencing the work. The Commissioners having charge of the matter, in accordance with a call issued by me in pursuance of the act, held their first meeting, May 25, 1870. One of their first and most important duties was to avail themselves of the information requisite for the adoption of a suitable plan for the building. After visiting and examining several of the buildings of other States, erected for similar purposes, and a careful inspection and comparison of the plans submitted, they were enabled to adopt one which, it is believed, combines, in an eminent degree, the elements of convenience, taste, and beauty, requisite in an edifice of that character, and yet the cost of which shall not exceed the maximum amount fixed by the law, to-wit: a million and a half of dollars. In the adoption of this plan, the Commissioners availed themselves of the advice of Edward Clark, Esq., architect of the national capitol, a person of eminent ability. Messrs. Cochrane & Piquenard, of Illinois, were selected as the architects to prepare the drawings in detail of the plan as adopted, and to supervise the construction of the building.

The next important duty, and one involving the greatest responsibility, was the choice of suitable material for the foundation. Steps were taken to obtain reliable information of the capacity, as well as the quality of the product, of all the principal stone quarries in the State. To this end, most of the quarries were visited by committees, and samples from over thirty of them were caused



to be submitted to practical and scientific tests. Although these investigations established the fact that our State is supplied with an abundance of building material of good quality, yet it was soon ascertained that only a few quarries were sufficiently developed to supply at once, and as fast as needed, the quantity of stone required for such a work. From the large number of competing quarries in the State, the duty of making a judicious choice, was soon found to be a task of great difficulty. I can truly say that I believe it has been the earnest desire of the Commissioners to economize the funds placed at their disposal, and at the same time, to avail themselves of the best material for the work, to be found in the State. The facts developed, and the information elicited, will doubtless prove of great practical advantage in the choice of material for the future prosecution of the work.

During the latter part of the year 1870, contracts for excavating the foundation, and for the delivery of sand, were made. The excavation was mostly done during the fall and winter. A supply of sand was delivered sufficient for the greater portion of the entire work. The early months of the past season were spent in the details of preparation for the stone work, and in putting in the concrete foundation. In order to provide for the convenient and economical delivery of the material, a branch railway of nearly a mile in length was constructed, connecting the capitol grounds with the railroads running into the city.

On the 12th day of May, 1871, a contract was entered into with Messrs. Tuttle & Robertson, of Des Moines, for furnishing the stone for the foundation, at the price of \$10.25 per cubic yard for dimension stone, and \$5.75 per cubic yard for block rubble. Under this contract the first car load of stone was delivered on the ground, June 15, 1871, but owing to the delay incident to the opening of a new quarry, and its subsequent failure to yield stone of size and quality as required, the contractors were prevented from delivering stone as fast as needed. The first stone was not laid in the foundation until the 17th of August. On the 23d of November, the formal proceedings of laying the corner stone took place, at which time, in consequence of the severity of the weather, the work was suspended for the season. At this time the contractors were furnishing stone from a new quarry as fast as needed, and the work was being prosecuted vigorously. Had the season for laying stone been protracted, as we usually have reason to expect, nearly the entire foundation walls would doubtless have been laid. As it is, about three fourths of the outside foundation walls are laid, on solid concrete masonry, two feet in thickness.

For full details of the work already done, reference may be had to the report of the Commissioners soon to be submitted. The report will show that at the date of January 1, 1872, there had been expended of the appropriation, the sum of \$119,997.62, leaving a balance on hand of \$30,002.38. With the necessary

buildings, machinery, and a railway to the capitol grounds, already provided, future operations on the building may be resumed without the delay attending the work heretofore.

In view of the importance of the work, and the absolute necessity that the building be pressed steadily forward to completion, or at least to a condition suitable for occupancy, I would earnestly recommend that the present General Assembly make a certain fixed annual appropriation, say of not less than \$150,000---the amount to be increased as the resources of the State may admit, and as the stage of the work may require, and not to exceed in the aggregate the estimated cost of the building. This would save the Commissioners much embarrassment in making their arrangements and contracts.

I would suggest that the law creating this Board be so modified as to reduce the number of its members to three or not to exceed five; that they be selected for their peculiar fitness for the work without regard to locality; and that their salary be sufficiently liberal to enable them to devote all their time to the duties of their office. I would also recommend that both political parties be represented upon the Board.

Below I present a summary of the amounts deemed necessary by the Boards and officers having charge of State institutions and public works, for new buildings, for repairs, and for improvements requiring special appropriations. Some of the objects for which the several amounts are asked, however desirable, may be delayed until the next General Assembly shall meet; but most of them, I think, should receive immediate attention. It is for the General Assembly, whose members are just from the people, and familiar with their views and feelings, to say how much shall be expended for these various objects.

The following are the figures:

Hospital for Insane at Independence.....	\$ 200,000.00
Hospital for the Insane at Mt. Pleasant improvements and contingencies.....	27,900.00
New Capitol.....	300,000.00
Asylum for the Blind, addition to the building.....	100,000.00
Institution of Deaf and Dumb.....	10,000.00
Institution of the Deaf and Dumb, wing to building,	100,000.00
Penitentiary improvements.....	12,000.00
Penitentiary enlargement.....	44,000.00
Agricultural College, buildings and improvements..	100,000.00
Soldiers' Orphans' Homes, buildings and repairs....	15,000.00
Soldiers' Orphans' Homes, libraries.....	700.00
Reform School.....	75,000.00
Board of Immigration.....	20,000.00
State Historical Society.....	6,000.00
	<hr/>
	\$1,009,700.00

The Auditor of State, in a very acceptable table, estimates the income for the two years ending November 2, 1873, at \$1,972,400, and the expenditures at \$1,341,500, leaving towards meeting the above mentioned special demands, and any other for which the legislature may deem it advisable to provide, the sum of only \$630,900.

**THE GEOLOGICAL SURVEY.**—The Report of the late State Geologist was published last winter in two very elegant volumes, and circulated extensively in our own and other countries as required by the act authorizing its publication. It has called forth high encomiums for its scientific and general excellence from eminent authorities both in Europe and America. It is to be regretted, however, that the survey could not have been completed before the publication of the work; and I hope it will be resumed at no distant day, and carried through to completion.

**RAILROADS.**—I have before mentioned the completion of the entire line of railroad from Dubuque to Sioux City, and of its Tete des Morts Branch, as well as the construction of the McGregor and Missouri River Railway to Algona, and of the Des Moines Valley road to Fort Dodge. In addition to these land grant roads the Burlington, Cedar Rapids, and Minnesota Railroad is now in operation, from Burlington to Nora Springs, in Floyd county. The Central Railroad of Iowa has been extended on the south to Albia, and on the north to Northwood, Worth county. The St. Louis and Cedar Rapids Railroad is completed to Ottumwa, and is operated by the North Missouri Railroad Company, making a direct route from that city to St. Louis. The Burlington and Southwestern Company has built a line from Fort Madison to Bloomfield, connecting at the former place with Burlington and at the latter with Moulton. The Chicago, Rock Island and Pacific Company has extended its road from Washington through the counties of Jefferson, Wapello, Appanoose and Wayne, into the State of Missouri, and through that State to Leavenworth, Kansas. The Burlington and Missouri River Railroad Company has built a branch from Red Oak Junction, in Montgomery county, to Hamburg, in Fremont county, a distance of thirty-nine miles. The Davenport and St. Paul Railroad has been built from the first named city to Maquoketa, in Jackson county, a distance of forty-three miles, and to Wyoming, in Jones county, a distance of fifty-three miles. The Iowa Midland Railroad is in operation from Clinton *via*. Maquoketa to Anamosa; and the Sabula, Ackley and Dakota Railroad is built from the former place through Jackson and Clinton counties, to Oxford Mills, in Jones county, a distance of some fifty miles.

On the 31st of December, 1868, there were 1448 miles of railroad in the State, and on the 31st of December, 1870, there were 2783 miles, an increase of 1335 miles in two years. There are now



8000 miles of railroad in operation in the State. According to the estimate of the Treasurer of State, the value of the property now in railroads may be put at rather more than \$80,000,000, or about one-eleventh of the entire value of all the property in the State. The magnitude of this interest is now so formidable as in my opinion to demand some measure of official supervision. At present, railroad companies, upon the completion of their lines, are required to report to the legislature, stating "the amount paid in," the entire expenses of construction, "the length of the road, the number of planes on it, with their inclination to the mile, the greatest curvature of the road, the average width of the grade, and the number of ties per mile." I am not aware that any railroad company in the State has complied with this requirement; certainly very few, if any, have done so.

Each railroad is also required to report, under oath, to the Secretary of State, annually, "showing the amount" of its capital stock, and "amount paid thereon; the amount of bonds issued and how secured, and all other indebtedness; the length of such railroad when completed, and how much is built and in use; the number of acres of land donated or granted to them, by whom, and what disposition has been made of said grants or donations; the gross amount of receipts, and how disbursed; the net amount of profits and the dividends made, with such other facts as may be necessary to a full statement of the affairs and condition of such railroads." This requirement is complied with by only a small number of companies; and it is not made the duty of any officer to enforce the provisions of either statute. The latter report may be compelled by a writ of mandamus asked for by any stockholder; but there is no penalty in either case for failure to make report. If it were made the duty of some public officer to enforce the making of these reports, there can be little doubt that they would be obtained. Other States, with a larger experience than ours, yet with interests no greater, require systematic reports for the information of the people, and to aid in intelligent legislation. There are also questions of safety for life and property, in the management and repairs of old roads and in the construction of new ones, that suggest the need of official supervision. I would recommend the appointment of a board of commissioners, clothed with authority to inspect the several railroads in the State, their mode of construction, management, mode of operating, charges, connections, &c., and with power to compel an observance of the laws of the State concerning railroads.

I have before made suggestions as to the disposition to be made of railroad taxes. The question as to the mode of raising these taxes has been much discussed, and that now prevalent in this State has been more or less severely criticised. I am, however, of the opinion, that it is the most practical method yet devised for the purpose.

But, in order that this sort of property should bear its just proportion of the public burdens, it is only proper that the tax now levied upon gross earnings, should be increased. The entire sum collected from railroads for the year ending 1870, amounted to \$186,722.04. The property paying this tax is estimated by the Treasurer of State as worth \$75,000,000. To correspond with the assessment of other property, it would probably be valued for revenue purposes at some \$30,000,000. The tax obtained from railroads, therefore, is equal to about six and a quarter mills on what, under the estimate adopted, would be the assessed value of this kind of property. I have elsewhere given the average tax throughout the State for the same year at  $3\frac{1}{2}$  per cent., or about five times that contributed by railroad property. It may be said that this calculation is based upon an over-valuation of the property of railroads. Perhaps it is; yet it certainly cannot be so far out of the way as to obliterate the fact that a very great disparity exists between the revenue from this class of property and that from other sources. This state of affairs, I submit, can readily be remedied without imposing any undue burdens upon existing lines, or crippling new enterprises.

**CENSUS AND APPORTIONMENT.**—The census of 1870, taken by the federal government, reports a population of 1,191,802 in the State. This is an increase of 150,983 over the figures given by the State census of the previous year—the largest gain yet made by the State during the same period, viz.: about sixteen months. The advance made since the census of 1860 is 516,889. The rapid strides Iowa has made are better realized by comparing her growth with that of other States. In 1850, she stood twenty-seventh of the States of the Union in point of population. In 1860, she ranked twentieth; and in 1870, eleventh. Among the duties devolving upon you, at the present session, will be that of apportioning the State into seven Congressional districts, or, if the bill pending in the United States Senate passes, into nine of them. In justice, the representation in the present Congress, and consequently in the electoral college next fall, should be based upon the census of 1870; but efforts to effect this result have hitherto failed, and will not probably now be renewed. An apportionment of the State into senatorial districts for four years, and into representative districts for two years, will also be necessary. The judicial districts may now also be re-organized for four years. I would suggest the creation of another judicial district, in order to relieve some of our over-burdened districts, and, at the same time, to provide for the newer but more rapidly growing counties.

**REUNION OF IOWA SOLDIERS.**—Chapter nine-nine of the acts of last session appropriated the sum of \$15,000 for the expenses of a reunion of Iowa soldiers then in contemplation. Arrangements were forthwith entered into for the accomplishment of the object. The time for the reunion was postponed until August 31st and September 1st, 1870. All the railroad companies in the State very

generously agreed to transport the enlisted men of the late war free of charge, and the officers half fare; while the United States government loaned several hundred tents for the accommodation of the multitude. Contracts were entered into for all the supplies needed, and the most elaborate arrangements were made for the subsistence of the guests of the State. Upon the 31st day of August, 1870, it is estimated that not far from thirty thousand Iowa soldiers were convened at Des Moines, besides an immense concourse of citizens attracted by the grand occasion. The Secretary of War was in attendance and delivered the oration. General Sherman and other distinguished officers of the army were also present. The railroads, especially those coming into the city, were tasked to their utmost capacity, but did their work extremely well. The most admirable order prevailed during the reunion; and the meeting throughout was one of intense interest and enthusiastic enjoyment, long to be remembered by the soldiers of Iowa. The whole cost of the reunion to the State was \$14,090.15, leaving undrawn, of the appropriation for the purpose, the sum of \$909.85. The details of the expenditures, with vouchers, will be found on file in office of the Treasurer of State.

**FOX AND WISCONSIN RIVER IMPROVEMENT.**—In my last message I called the attention of the legislature to the efforts being put forth for opening up to navigation the waters of the Fox and Wisconsin rivers so as to enable the people of the State to transport grain and products from the Mississippi river to the lakes by water. In 1870 Congress appropriated the sum of \$100,000 for this work. The act making this appropriation provided for the appointment of a board of arbitrators to estimate the value of the interest of the Green Bay and Mississippi Canal Company in the improvement. Hon. Wm. Larrabee, of Iowa, on the part of the United States, and Hon. Jas. R. Doolittle, of Wisconsin, on the part of the Company, were selected as such arbitrators. They chose Hon. Paul Dillingham, of Vermont, as the third member of the Board. Upon the 15th of November, this Board decided upon the award, which is understood to be as follows: For value of locks, dams, franchises, water-power, personal property, etc., the sum of \$1,047,070; from which is to be deducted the sum of \$723,070 for value of lands sold; leaving a balance of \$325,000; or, if only the improvement proper be taken, of \$145,000. The company having previously agreed to accept the amount, the improvement has become the property of the Government, and we may now look for the continued progress of the work.

**CENTENIAL CELEBRATION.**—Congress at a recent session passed an act looking to a national centennial celebration in 1876, in the shape of a world's fair, for which the city of Philadelphia was very properly chosen as the place. The act provides for the selection of a board of commissioners, consisting of one from each State, to be named by its executive. I accordingly designated Hon. Robert

Lowry, of Scott county, as such commissioner, and Hon. Coker F. Clarkson, of Grundy county, as commissioner alternate. The board, it is understood, is called to meet early in the coming spring to enter upon its important labors.

**CONSTITUTIONAL CONVENTION AND AMENDMENTS.**—Pursuant to the requirements of the constitution and the provisions of chapter 168 of the acts of last session, the question, "Shall there be a convention to revise the constitution and amend the same," was submitted to the people at the general election of 1870, there were cast "For a convention," etc., twenty-four thousand eight hundred and forty-six votes; and "Against a convention," etc., eighty-two thousand and sixty-nine votes. So the people decided not to hold a convention.

There will come before you for advancement another stage, if you so order, three amendments to the fundamental law. One of these proposes to remove the provision restricting the right of suffrage to "male" citizens. The effect of the other two, if adopted, will be to remove all disqualifications for holding seats in the General Assembly on account of either sex or color.

**CODIFICATION OF THE LAWS.**—The call for a convention having been decided in the negative, the commissioners appointed by chapter 75, of the acts of the last session, immediately entered upon the work of revising the laws. Shortly afterwards, Mr. John O. Polley, of Clinton county, one of the members of the commission, having removed from the State, tendered his resignation, I appointed Mr. William G. Hammond, of the University Law School, his successor. The report of the commission has been printed and transmitted to the members elect of the Fourteenth General Assembly. You have therefore been enabled to examine the recommendations of the Commissioners, with their reasons therefor. To the changes they propose, your experience will doubtless enable you to add others. I endorse in the main the recommendations of the report, and sincerely hope that the code recommended, with such amendments as the general Assembly may see fit to make, will soon become the law of the State.

I may remark that the changes proposed in the criminal code are, in my judgment, well calculated to render punishment for crime, if in some cases less severe, in all more certain and effective. The suggestion made by the Commissioners in favor of the abolition of the grand jury, if it can be done constitutionally, I most heartily endorse; and I am prepared to go further, and to recommend, as I now do, the steps be taken by you towards the amendment of the constitution, whereby the control of this subject may be brought within that scope of the powers of the General Assembly. My observation satisfies me that the grand jury is a costly and useless relic of by-gone days, and that its abolition will work no detriment whatever to the cause of justice.

My attention has been forcibly called during my term of office to

a number of instances where sub-contractors upon railroads, after receiving pay upon their contracts, have absconded, defrauding the laboring men in their employ, who are ill able to afford the loss, sometimes causing absolute suffering, and even leading to mob violence. It is a species of downright fraud, and if it can be reached by a penal statute, it would seem that it ought to be.

VACANCIES IN OFFICE.—Twice since the last session resignations have been made to me by public officers, to take effect at some future period, a general election intervening. A question was raised as to the legality of an election to fill the vacancies at such general election. I should, without hesitation, have included the offices thus to be vacated in the usual election proclamation, believing the spirit of the law would justify it; but the officers tendering their resignations, in order to avoid any question, withdrew them, and immediately renewed them to take effect before the election. I suggest the amendment of the statute upon this subject, so as to remove all doubt, and to consider vacancies thus in prospect as actually existing for the purpose of election or appointment.

Subsequently to your last meeting, the offices of Lieutenant-Governor and Speaker of the House of Representatives became vacant the incumbents having been elected Representatives in Congress. In September last, the President *pro tem.* of the Senate resigned his seat in that body, thereby vacating its presidency. Thus all the offices, whose incumbents could perform the duties of the Governor in case of a vacancy in this office, were themselves vacant, leaving no one qualified by law to succeed to the governorship. After an examination of the constitution, and of the law bearing upon the question, I determined to act upon the authority conferred by section 10, article 4, of the constitution, and section 664 of the revision, and accordingly appointed Hon. Henry C. Bulis, of Winneshiek county, Lieutenant-Governor of the State. I am aware that, in thus naming a presiding officer for the Senate, I ventured upon delicate ground, and went perhaps to the verge of the constitutional power of the executive; but trust that the emergency which alone could have induced me to act, will also be my justification.

The examination I made at the time this matter was before me, led me to observe, more closely than I had before, the language of the constitution upon the subject; and I found that under a strict construction of that instrument, the Lieutenant-Governor only can succeed to the Governorship, upon the death, resignation, or impeachment of the Governor. The provision for the succession of the President *pro tempore* of the Senate, and the Speaker of the House of Representatives, applies only to cases where the Lieutenant-Governor, *while exercising the duties of the office of Governor*, shall die, resign or be impeached. The undoubted intent of the constitution is that these officers shall succeed in the order named, whenever a vacancy shall happen in the executive office, but the literal fact is as I have stated. I suggest that, if the General Assembly



deem it within the range of its powers, an act be passed supplementing the constitutional provisions respecting the succession to the gubernatorial office, and especially providing for any emergency similar to the one above referred to.

**ROAD LAWS.**—Much complaint is made of the inefficiency of our present road laws. There are large outlays, it is said for the repair of roads, with very small returns. The amount levied during the year 1870 for road taxes was \$268,137.46; and this was exclusive of road-poll taxes. It is believed that one-fourth of this amount, judiciously expended, would affect more permanent improvement than can be accomplished under the present wasteful management. The abolition of the existing road-districts, with township supervision under an officer selected for the purpose, who would be enabled to systematize the work upon the roads, would, it is thought, give us much better roads with smaller expenditure. There is much justice in the complaint, and I deem it only proper to invite your attention to the subject.

**INSURANCE.**—Two national conventions of State officers for the purpose of considering the subject of insurance and of laws for the security of the insured, were held in the city of New York during the past year. To the later one, held October 18th, having been invited to send a delegate, I appointed Hon. John Russell, Auditor of State, to represent the State of Iowa. The meeting was held at a grave moment. The terrible conflagrations of that month, involving the loss of hundreds of millions of dollars' worth of property, were yet fresh in the minds of all; and the failure of many insurance companies was feared as a consequence of their tremendous losses. Several days were spent in deliberation, the convention seeming to be actuated to an unusual degree by an intelligent purpose to accomplish worthy results. A draft of a uniform law was agreed upon, to be submitted to the legislatures of the several States. It will doubtless be laid before you early in the session. Whatever changes are made, or new provisions introduced into our insurance law, I recommend that no company, home or foreign, be permitted to do business in the State without a paid up capital of at least \$50,000.

**COUNTIES AND CITIES.**—The counties of Lyon and Osceola have just been organized, elections having been held in those counties last fall for county and town officers. All the counties in the State (ninety-nine in number) are now organized. The act of last session, creating the county of Crocker, has been declared unconstitutional by the Supreme Court, in the case of *Garfield vs. Brayton*, because the proposed county was below the minimum size required by the constitution. I would suggest that, if it be deemed advisable to pass a new act obviating this difficulty, a provision be inserted for the submission of the question to the people, in order to meet another constitutional question raised in the above named case, but not decided by the Supreme Court.

In view of the many instances of issuance by local authorities of bonds, the validity of which has been disputed, causing vexatious litigation, as well as much hard feeling at home and financial discredit abroad, I suggest the propriety of enacting a law requiring that the bonds of cities, towns, and school-districts, before being sold be registered by the Auditor of State, upon satisfactory proofs being made to that officer that such bonds were in all respects legally issued, and that the county, city, or district issuing them has not exceeded the legal limit of indebtedness. Registration, with provision for the prompt payment of interest and principal when due, would tend to elevate the character of the various local securities, and expedite their sale when offered, as well as be beneficial to the credit of the entire State. I have reason to believe, that had this been done a few years ago, multiplied thousands of dollars would have been saved to our various counties and municipalities. One or more of our sister States have adopted the plan here suggested, and its practical effects seem to be most salutary. In my last message I called attention to the fact that pretended bonds of the county of Lyon were afloat. It has recently been reported that attempts would be made to get such fraudulent issues assumed by the organized county. I do not know that there is any likelihood of such scheme being successful, nor, if it were, that it would be held valid by the courts; yet, I would suggest the propriety of prohibiting, by positive law, any assumption of the character mentioned.

**MISCELLANEOUS.** I recommend that the Secretary of State and the Superintendent of Public instruction be authorized to procure seals for their respective offices, they being frequently required to give certificates which should be attested by seal.

Our statutes lack any provision for the management of savings banks, and the security of depositors therein. Many of the States have adopted laws upon the subject. The utility of those institutions is so familiar to you all, that I need only mention the defect, and invite you take action thereon.

I have thus briefly called your attention to such matters as seemed to me necessary to be presented for your consideration at the commencement of your session. Other subjects will doubtless appear to you as equally important as any I have named; and there are yet others which must, at no distant day, be subjects of legislation. Additional public institutions will be needed. An industrial home for girls, a retreat for idiots and feeble-minded children, and perhaps an asylum for inebriates, are among the prospective charities of the State. The time has not yet come, I apprehend, for action in relation to these meritorious objects. Questions of more immediate importance will demand your attention, and those which will undoubtedly come before you will make your session one of unusual interest. That your deliberations will eventuate in legislation such as will

deserve and receive the approbation of your constituents, is my confident anticipation.

Our State, with its first quarter of a century just completed, has already made a history by her progress, her enterprise, and her patriotism, of which all her citizens may be proud. The sparsely settled territory of 100,000 souls, which twenty-five years ago became a State, has grown to an opulent commonwealth, of 1,350,000 people. The luxuriant soil Iowa was known to possess has more than fulfilled its early promise; while her treasures of store and coal, then hardly suspected to exist, have added largely to her wealth. Railroads, then scarcely west of Ohio, now stretch their 3,000 miles of iron in network over the State; and the telegraph goes with them. Her political record has been equally honorable. The first free daughter of the Missouri Compromise, she has been true to her heritage of freedom. Among the first to rush to the support of an endangered Union, and to lay her best blood on the altar of her country, she was also first to strike from her constitution the odious discrimination between her citizens on account of color. The past career of Iowa, both as territory and State, has been honorable, progressive, substantial. May her future be even more so!

Abroad, the year past has been one of sadness to many, both in our own and foreign lands. Our sister State across the Mississippi has seen her mighty metropolis laid in ashes, and farther north Wisconsin and Michigan have been scourged by fire until it seemed that the very heavens were all ablaze. Houses, shops, mills, stores, school-houses, churches, improved farms, cultivated fields, all vanished before the flames; and countless thousands of people were made homeless and deprived of food and clothing. Relief, however, was speedy and munificent, and distant nations vied with our own States in furnishing prompt and generous aid to the needy.

Immediately upon learning of the disaster at Chicago, I at once telegraphed to the mayors of the leading cities of the State, urging prompt measures for relief. The willing people, however, had already set to work in many places, and the fury of the flames was scarcely stayed before money, food, and clothing began to pour into the suffering city from all parts of Iowa as well as from other States; and the work was continued as long as there seemed to be vital need. Liberal contributions were also made for the sufferers of Michigan and Wisconsin.

**NATIONAL AFFAIRS.**—In national affairs, we find a healthful tone. The past two years have witnessed the consummation of the final triumph of the war, in the adoption of manhood suffrage; and we now see all men equal sovereigns before the law. Every citizen now stands the peer of his fellows. The true principles of constitutional liberty have become fixed in the fundamental law, and enthroned in the hearts of the people, never to be obliterated



from either. The national administration successfully feels its way along, annually paying one hundred millions of dollars of the public debt, reducing the yearly interest more than sixteen millions of dollars, and at the same time lessening the burden of taxation. The strong arm of the federal power has been wielded for the protection of the rights of citizens, and clandestine organizations, gotten up for the persecution of those whose only crime is that they advocate principles just such as are held by a vast majority in our own State, have been broken up, and their members arrested or disbursed. The mode of entering the civil service has been reformed so far as the President can effect it, and appointment and promotion therein are hereafter to be by merit—so long at least as the present incumbent of the presidential chair shall remain therein. And among the triumphs of the administration, not the least is the settlement of our threatening difficulties with Great Britain by an adjustment highly honorable to all parties.

I have noticed with much pleasure the recommendations and suggestions of the chief magistrate of the United States in his late message, relative to reduction of tariff on articles of necessity not produced in this country, to the postal telegraph, to reform in the civil service, etc. The adoption of the last named measure especially will tend greatly to correct the many abuses which for nearly half a century have been creeping into the administration of the national Government. What the people want and demand is an honest and economical policy in the management of the public affairs. Such a policy will help us materially to return to specie payment, and to steer safely through all financial difficulties; any other will endanger our credit, and cover us with disgrace.

The discovery of the electric telegraph may justly be reckoned among the sublimest achievements of the human mind—perhaps more far-reaching in its effects than any other of the wondrous offspring of the brain of man. Thus calculated for vast beneficence, the widest scope should be given to its powers. This can never be accomplished while it remains the private property of any individual or corporation, much less when it is, as now, practically monopolized. Every argument which can be adduced in favor of a government post-office applies with equal force, in my judgment, to a government telegraph; and the sooner the latter is united with the postal system of the country the sooner will the people realize the full benefit of this great invention. I would suggest to the General Assembly, the propriety of adopting a memorial to Congress expressive of the opinions and wishes of our people relative to this and other important subjects of national legislation.

I cannot close this my last message without expressing to the people of Iowa my grateful acknowledgments for the generous confidence they have reposed in me. During the four years of my

service to the State I have received from them a support, a sympathy, and an encouragement which have greatly aided me in the discharge of my official duties.

While administering the office of chief magistrate, I have been filled with increasing respect for the institutions of the State. No one, so well as he who upon this post of observation, has been called to keep constant watch of the whole field, can grasp in thought the feeling, the history and growth of our commonwealth. While discharging my duty, to be diligent in aiding the development of our State, to labor for the success of our schools and charities, and to temper mercy with justice, it has been my privilege to realize the intelligence, justice, and humanity of our people.

In severing my connection with the State government, I cannot close this communication without bearing my willing testimony to the fidelity, zeal, and industry of the various officers of the State, and those associated with me in the different agencies of the government during my administration of its affairs. I shall ever carry with me in my retirement a grateful remembrance of the friendship and courtesy which have always marked our official relations.

To have served the State at this time of its greatest prosperity, and to have been permitted to aid, in an official station, in laying the foundations of her future greatness, may justly be regarded as an honor. But there is honor, too, in being a private citizen of such a State; and as I pass from one station to the other, permit me to unite with you in dedicating ourselves, our commonwealth, and our country anew to freedom and to God.

SAMUEL MERRILL.

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The door-keeper of the House came forward and took the oath.

Mr. Kasson offered the following order:—

*Ordered*, That the rules of the last House be adopted as the rules of this House until further order; and that a committee of three be appointed by the chair for the examination and revision of the rules.

On motion of Mr. Evans, the speaker was appointed chairman of such committee.

On motion of Mr. Beresheim, leave of absence was granted to Messrs. Cadwell and Mills.

On motion of Mr. Pratt, leave of absence was granted to Mr. Hewitt.

On motion of Mr. Gear, leave of absence was granted to Mr. Campbell.

On motion of Mr. Wood, of Story, leave of absence was granted to Mr. Johnson.

Mr. Miller offered the following resolution, which was adopted :

*Resolved*, That the postmaster of this Assembly be directed to furnish each member and officer of the House of Representatives with postage stamps, as provided by act of the Twelfth General Assembly, (chapter 155, sec. 11,) and that the Secretary of State be directed to furnish said postmaster with postage stamps to enable him to comply with the terms of this resolution.

On motion of Mr. Caldwell, the message of the Governor was taken up.

On motion of Mr. Irish, the further reading of the message was dispensed with.

Mr. Rohlf's offered the following resolution :

*Resolved*, That each member of the House of Representatives be furnished with thirty (30) daily newspapers, or their equivalent in weeklies.

Mr. Ellsworth moved to strike out "thirty," and insert "ten."

Mr. Miller moved to amend the amendment by inserting "twenty."

Mr. Hopkirk moved to lay the whole matter on the table.

The motion did not prevail.

The motion to amend the amendment, did not prevail.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate.

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following resolution, in which the concurrence of the House is asked :

*Resolved by the Senate, the House concurring*, That the Senate will meet the House in joint convention, for the purpose of canvassing the vote for Governor and Lieutenant-Governor, on Wednesday, January 10th.

J. A. T. HULL, *Secretary*.

Mr. Kasson moved to take up the Senate message, and amend the same by inserting eleven o'clock, which motion prevailed.

On motion of Mr. Irish, the House took a recess of five minutes.

#### AFTER RECESS.

House called to order.

Mr. O'Donnell moved to substitute as follows :

*Resolved*, That the Chief Clerk of the House be requested to order for each member of the House twenty-five dailies, or their equivalent in weekly newspapers.

On motion of Mr. Irish, a committee was appointed to wait upon the Senate and inform them that the House was ready to go

into joint convention to canvass the vote for Governor and Lieutenant Governor.

The Speaker appointed Messrs. Irish and Keables as such committee.

On motion of Mr. Kasson, the House took a recess of five minutes.

#### AFTER RECESS.

House called to order.

The committee appointed to wait upon the Senate reported that they had performed their duty, and were discharged.

The doorkeeper announced the honorable Senate, who entered the hall and took seats assigned them.

Senator Lowry, President *pro tem.* of the Senate, called the joint convention to order, and announced that the convention had met to canvass the votes for Governor and Lieutenant-Governor, of the State of Iowa, and to declare the result, and that Messrs. McNutt and Kephart had been appointed tellers on the part of the Senate.

The Speaker announced Messrs. Beresheim and Teale as tellers on the part of the House.

On motion of Mr. Kasson, the joint convention took a recess till two o'clock p. m.

#### TWO O'CLOCK P. M.

Joint Convention called to order by the President *pro tem.*, when the canvass was concluded with the following result:

#### FOR GOVERNOR.

Whole number of votes cast.....	177,380
Of which Cyrus C. Carpenter received.....	109,128
Of which Joseph C. Knapp received ....	68,226
Scattering... ..	26

#### FOR LIEUTENANT-GOVERNOR.

Whole number of votes cast....	177,247
Of which Henry C. Bulis received.....	108,858
Of which M. M. Ham received.....	68,858
Scattering.....	1

## ABSTRACT.

*Of votes cast in the several Counties of the State of Iowa for Governor and Lieutenant-Governor of said State, at the General Election held on the 12th day of October, A. D. 1869.*

COUNTIES.	GOVERNOR.		LIEUTENANT-GOVERNOR.	
	Carpenter.	Knapp.	Bulla.	Ham.
Adair .....	672	268	678	267
Adams .....	568	245	568	245
Allamakee .....	1257	1363	1260	1302
Appanoose .....	1481	1318	1485	1316
Audubon .....	155	177	155	177
Benton .....	1721	845	1721	842
Black Hawk .....	1931	614	1926	630
Boone .....	1250	878	1256	877
Bremer .....	1212	403	1212	400
Buchanan .....	1515	846	1513	847
Buena Vista .....	336	68	336	68
Butler .....	1127	328	1128	328
Calhoun .....	232	113	233	113
Carroll .....	328	196	329	199
Cass .....	847	341	847	341
Cedar .....	1702	922	1700	922
Cerro Gordo .....	654	127	648	130
Cherokee .....	393	103	393	103
Chickasaw .....	1001	690	993	694
Clarke .....	1059	513	1062	572
Clay .....	566	2	554	2
Clayton .....	1952	1633	1921	1640
Clinton .....	2390	1735	2391	1726
Crawford .....	354	226	350	226
Crocker .....	46	.....	46	.....
Dallas .....	1215	513	1217	506
Davis .....	1406	1889	1409	1397
Decatur .....	1231	1059	1233	1059
Delaware .....	1232	709	1198	733
Des Moines .....	2326	1612	2325	1609
Dickinson .....	239	30	239	14
Dubuque .....	1986	3287	1951	3311
Emmet .....	118	36	198	18
Fayette .....	1657	895	1659	896
Floyd .....	1159	870	1146	869
Franklin .....	745	89	745	88
Fremont .....	1082	1221	1082	1222
Greene .....	589	244	591	242
Grundy .....	480	56	483	55
Guthrie .....	839	503	840	503
Hamilton .....	807	237	805	237
Hancock .....	206	47	206	47
Hardin .....	1198	340	1189	343
Harrison .....	1114	996	1113	997
Henry .....	2052	1192	2065	1132
Howard .....	659	371	658	372
Humboldt .....	397	131	395	133
Ida .....	69	12	69	12

## ABSTRACT OF VOTES—CONTINUED.

COUNTIES.	GOVERNOR.		LIEUTENANT-GOVERNOR.	
	Carpenter.	Knapp.	Bullis.	Ham.
Iowa.....	1852	1082	1855	1078
Jackson.....	1666	1857	1657	1860
Jasper.....	2757	1116	2758	1111
Jefferson.....	1557	1198	1555	1198
Johnson.....	2047	2127	2045	2131
Jones.....	1651	823	1641	825
Keokuk.....	1416	1226	1418	1125
Kossuth.....	517	63	518	63
Lee.....	2197	2570	2207	2542
Linn.....	2787	1255	2725	1255
Louisa.....	1272	647	1166	651
Lucas.....	814	608	817	606
Lyon.....	59	.....	59	.....
Madison.....	1669	1099	1668	1099
Mahaska.....	2128	1270	2126	1268
Marion.....	2229	2156	2229	2158
Marshall.....	1920	476	1920	471
Mills.....	898	659	896	659
Mitchell.....	1002	295	1000	293
Monona.....	477	17	474	17
Monroe.....	1063	788	1062	789
Montgomery.....	781	455	781	455
Muscatine.....	1701	1229	1633	1236
O'Brien.....	165	47	165	47
Osceola.....	45	.....	45	.....
Page.....	957	455	958	452
Palo Alto.....	217	166	212	171
Plymouth.....	860	124	859	125
Pocahontas.....	263	51	263	52
Polk.....	2568	1628	2567	1673
Pottawattamie.....	1898	1123	1402	1118
Poweshiek.....	1523	731	1524	789
Ringgold.....	761	329	760	330
Sac.....	267	89	267	89
Scott.....	2535	1352	2537	1356
Shelby.....	285	177	281	181
Sioux.....	122	84	122	81
Story.....	1199	470	1201	470
Tama.....	1295	569	1294	571
Taylor.....	937	387	923	387
Union.....	807	335	806	336
Van Buren.....	1565	1377	1603	1375
Wapello.....	1934	1746	1945	1738
Warren.....	1948	998	1950	996
Washington.....	1393	937	1399	933
Wayne.....	1093	875	1091	876
Webster.....	970	604	886	701
Winnebago.....	267	34	267	34
Winneshiek.....	1486	782	1386	776
Woodbury.....	708	236	710	236
Worth.....	385	73	383	44
Wright.....	820	90	821	89
Total.....	119128	68226	106858	68388

Whereupon the President *pro tem* announced Cyrus C. Carpenter duly elected Governor of the State of Iowa for the term of two years from the second Monday in January, A. D. 1872, and Henry C. Bulis duly elected Lieutenant-Governor of the State of Iowa for the term of two years from the second Monday in January, A. D. 1872, they having received a majority of all the votes cast at the election in October last, 1871, and certificates of their election were read and signed, as follows:—

HALL OF THE HOUSE OF REPRESENTATIVES,  
Des Moines, Iowa, January 10th, 1872. }

This is to certify, that upon a canvass in joint convention of the two Houses of the General Assembly of the State of Iowa, of the votes cast at the October election, A. D. 1871, for the office of the Governor of the State of Iowa, it appeared that Cyrus C. Carpenter received a majority of all the votes cast at said election for said office, and was, therefore, declared duly elected to said office for the term of two years, and until his successor is elected and qualified.

Signed in the presence of the joint convention this 10th day of January, A. D. 1872.

ROBERT LOWRY,  
President *pro tem.* of the Senate, and  
President of the Joint Convention.

JAMES WILSON,  
Speaker of the House of Representatives.

ATTEST:

SAMUEL MONUTT,  
C. B. KEPHART,  
Tellers of the Senate.

FRED TEALE,  
JOHN BERESHEIM,  
Tellers of the House.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
Des Moines, Iowa, January 10th, 1872. }

This is to certify, that upon a canvass in joint convention of the two Houses of the General Assembly of the State of Iowa, of the votes cast at the October election, A. D. 1871, for the Lieutenant-Governor of the State of Iowa, it appeared that H. C. Bulis received a majority of all the votes cast at said election, and was



therefore declared duly elected to said office for the term of two years, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 10th day of January, A. D. 1872.

ROBERT LOWRY,  
President *pro tem.* of the Senate, and  
President of the Joint Convention.

JAMES WILSON,  
Speaker of the House of Representatives,

ATTEST :

SAMUEL McNUTT,  
E. B. KEPHART,  
Tellers of the Senate.

FRED TEALE,  
JOHN BEESHEIM,  
Tellers of the House.

On motion of Mr. O'Donnell, the joint convention was dissolved, and the House was called to order by the Speaker.

Mr. Ericson, of Boone, came forward and was sworn in by the Speaker.

By unanimous consent, Mr. Kasson offered the following resolution, which was adopted:—

*Resolved*, By the House of Representatives, the Senate concurring, that the two houses will meet in joint convention on Thursday, the 11th instant, at half past two o'clock P. M., for the purpose of inaugurating the Governor and Lieutenant-Governor elect.

The question recurring on the substitute for the amendments offered by Mr. O'Donnell,

Mr. Tufts moved the previous question, which was not ordered.

The motion to amend the amendment by substituting, was adopted.

The question recurring on the amendment as amended,

Mr. Durham moved to amend the amendment by striking out twenty-five and inserting fifteen.

The motion prevailed.

Mr. Irish moved to amend the amendment by striking out fifteen and inserting twenty-one.

The motion did not prevail.

On motion of Mr. Stow, leave of absence was granted to Mr. Ainsworth.

The question recurring on the adoption of the resolution, Mr. Ellsworth and Mr. Caldwell demanded the yeas and nays, which were as follows :

The yeas were—

Messrs. Appleton, Beatty, of Jasper; Beresheim, Bergh, Blake, Blakely, Clarke, of Iowa; Draper, Durham, Ellsworth, Freeman, Gear, Goodspeed, Green, Hanson, Heberling, Hilton, Hopkirk, Hovey, Kasson, Lee, Litzenbergh, McAllister, McClure, Newbold, O'Donnell, Reed, Rice, Sandry, Schweer, Secor, Stedman, Stewart, and Wood, of Story—Total, 35.

The nays were—

Messrs. Beatty, of Cedar; Blackman, Bliss, Bonewitz, Butler, Caldwell, Cardell, Carver, Close, Crawford, Danforth, Davis, Day, Dayton, Duncan, Duncombe, Ericson, Evans, Flenniken, Hall, Irish, Keables, Leahy, Maxwell, Miller, McCoy, Morrison, Peet, Perkins, Pratt, Reuther, Rohlf, Skillin, Stow, Struthers, Tasker, Teale, Tufts, Van Meter, Van Saun, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 48.

Absent or not voting—Messrs. Ainsworth, Ballinger, Booth, Cadwell, Campbell, Davisson, Dumont, Hanan, Hewitt, Johnson, Kaier, Merrill, Mills, Paul, Rule, Tuttle, and Van Deventer—Total, 17.

So the resolution was lost.

Mr. Lee offered the following resolution, which was adopted:

*Resolved*, That a committee of three be appointed to make suitable arrangements for the inauguration of the Governor and Lieutenant Governor elect.

The Speaker announced as such committee Messrs. Lee, Clark, of Benton, and Butler.

On motion of Mr. Tufts, the House adjourned till to-morrow at 2 o'clock, p. m.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, January 11, 1872,  
Two o'clock, p. m.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. Turnbull.

On motion of Mr. Morrison the reading of the journal was dispensed with.

#### MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF IOWA, EXECUTIVE DEPARTMENT, }  
 DES MOINES, IOWA, January 11, 1872. }

*Gentlemen of the Senate and House of Representatives :*

I have the honor to submit herewith a statement of the contingent fund of this office up to January 1st, 1872 :

Balance in my hands, March 31st, 1870.....	\$ 29.05
Amount drawn from State treasury.....	1900.67
	<hr/>
Amount expended.....	\$1768.62
Balance in my hands (paid to my successor)..<	161.10—\$1929.72
Whole amount of appropriation by the 13th	
General Assembly.....	\$2,000.00
Amount drawn as above from State treasury. \$1900.67	
Amount undrawn.....	99.33— 2,000.00

Of the amount drawn from the treasury, \$860, was expended for traveling expenses ; \$736 for clerk hire, and the remainder \$178.62 was paid out for various contingent expenses of the office.

Vouchers for all of these items may be found on file in this department.

SAMUEL MERRILL.

Mr. Butler, from the Committee on Inauguration submitted the following report :

MR. SPEAKER: Your Committee, appointed to make arrangements for the inauguration of the Governor elect, would report that they have performed that duty as well as the limited time allowed would permit.

INTRODUCTION OF BILLS.

Mr. Duncombe introduced H. F. No. 1, "A bill for an act authorizing the appointment of a commission to examine and report upon the losses of the settlers upon Des Moines River Lands, by failure of title, and providing for applying to Congress for relief."

Read a first and second time, and referred to committee consisting of members from Polk, Boone, Webster, and Wright counties.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER: I am directed to inform your honorable body that the Senate has agreed to appoint a Committee of Conference on the disagreeing vote of the two Houses in regard to mail-carrier, and has appointed Senators Miles and Kinne as such committee on the part of the Senate.

Also,

That the Senate has concurred in House resolution relative to joint convention for the purpose of inaugurating the Governor and Lieutenant-Governor elect.

Mr. Duncombe introduced House File No. 2: "A bill for an act fixing the time of holding the district courts in the 11th judicial district of Iowa."

Read a first and second time and referred to a committee composed of the members of the 11th judicial district.

Mr. Davis introduced H. F. No. 3: "A bill for an act to repeal chapter 102, acts of the Thirteenth General Assembly."

Read first and second times, and referred to Committee on Railroads.

#### RESOLUTIONS.

Mr. Morrison offered the following resolution:—

*Resolved*, That a committee of three be appointed by the Speaker to consult with the State Printer, and ascertain the cost of furnishing thirty (30) copies of the proceedings of the House of Representatives to each member, daily, and to ascertain upon what terms the same can be furnished from the daily papers of the city of Des Moines. The committee to report as early as possible.

Mr. Irish moved to lay the resolution on the table.

The motion did not prevail.

The resolution was adopted.

The Speaker then appointed as such committee, Messrs. Morrison, O'Donnell, and Close.

Mrs. Laura A. Berry, and Miss Mattie A. Locke came forward and were sworn in by the Speaker.

By leave, Mr. Butler submitted the following report from the Committee of Conference, which, on motion of Mr. Close, was adopted:

MR. SPEAKER—Your Committee to confer with a similar committee appointed upon the part of the Senate, upon the subject of the selection of a mail carrier, report, that said committee had a meeting and decided to recommend to the two Houses that the election heretofore made by both the Senate and the House of Representatives be ignored, and that H. C. Russell, of Washington, be elected mail carrier for this General Assembly.

WM. BUTLER, *Chairman*.

By leave, Mr. Close offered the following resolution:

*Resolved*, That the State Board of Agriculture, which is now in session in this city, be invited to seats on this floor during the inauguration ceremonies of Governor and Lieutenant Governor elect.

The message from the Governor was taken up, and on motion of Mr. Cadwell, was ordered to be printed.

Mr. Teale moved that a committee of two be appointed to notify the Senate that the House was ready to receive it in joint convention.

The motion prevailed.

The Speaker appointed as such committee Messrs. Teale and Heberling.

On motion of Mr. Kasson, a recess of five minutes was taken.

#### AFTER RECESS.

House called to order by the Speaker.

The committee to notify the Senate that the House was ready to receive it in joint convention, reported that they had performed the duty and were discharged.

The door-keeper announced the Honorable Senate, which came into the Hall and took seats assigned them.

#### JOINT CONVENTION.

Senator Lowry, President *pro tem* of the Joint Convention, announced the meeting of the joint convention for the purpose of inaugurating the Governor and Lieutenant-Governor elect.

On motion of Mr. Kasson, a committee of three—one from the Senate and two from the House—was appointed to notify the Governor and Lieutenant-Governor elect, that the joint convention was ready to receive them.

Senator Lowry, President *pro tem* announced as such committee Messrs. Kasson and Caldwell, of the House, and Senator Leavitt, of the Senate.

On motion of Mr. Beresheim, the Supreme Judges, the United States Senators, and United States Senator elect, and the State officers, were invited to take seats on the platform.

The President *pro tem.* appointed Messrs. Beresheim, O'Donnell, and Senator Willett, as a committee to carry out the motion.

The Sergeant-at-Arms announced the Governor and Lieutenant-Governor elect, the Supreme Judges, United States Senators, and State officers, who came in and took seats upon the platform.

## INAUGURATION CEREMONIES.

Prayer by the Rev. Frisbie, D. D.

Music by the Band.

The oath of office was then administered to the Governor and Lieutenant-Governor elect, by Senator Lowry, President *pro tem.* of the joint convention.

Music by the band.

Governor Carpenter then proceeded to deliver his Inaugural Address, as follows :

*Gentlemen of the Senate and House of Representatives :*

Elected by my fellow-citizens to undertake the duties of Chief Executive of the State, in accordance with custom, I embrace this occasion briefly to express my views upon a few measures which seem to demand legislative action.

Those questions of a national character which have heretofore largely absorbed public attention are now so generally approved by the intelligent and tranquil masses, as to have crystalized into principles. The late amendments to the Federal Constitution are, to-day, not merely regarded as a necessity of State restoration, but a natural outgrowth of our new civilization. Humanity as well as patriotism approves the measures adopted by the Administration to enforce obedience to law where the lingering echoes of treason still awaken a spirit of violence. Public sentiment indorses the peaceful diplomacy, by which it is proposed to settle, without sacrifice of rights, honor, or pride, the rasping questions of international dispute, which have been for years a constant menace of war with Great Britain. The policy of referring proposals contemplating the annexation of foreign territory to the enlightened judgment of public opinion is accepted as a proper dispensation of issues involving national expansion. A new theory of dealing with the Indians upon the frontier, illustrating not only the strength but the mercy of our Christian civilization, is another feature of the wisdom of this Administration, which meets popular approval. The firmness and energy which have been infused into the civil service, holding financial agents to a strict accountability, and demanding honesty and economy in the collection and disbursement of the revenues, commend themselves to the public conscience. A large diminution of federal taxation during the last three years, with an increasing yield in the annual revenue, even at present lower rates, coupled with economical reforms in every department of the public service, promising further tax reduction in the near future, gives additional luster to the present management of the National Treasury. Finally, so administering the finances as to diminish the national debt more than 280,000,000 of dollars in three years, saving the people 17,000,000 of dollars in annual interest, improving the public credit at home

and abroad, and appreciating legal-tender currency from more than thirty-three per cent. discount, to within ten per cent. of a gold basis, without even checking commercial enterprise, is indorsed by intelligent citizens as the crowning glory of the President's policy. An Administration illustrating its career with so many beneficent measures needs no factitious bolstering; I shall therefore not pause to consider any questions of exclusively national concern, but will address myself to issues which pertain specially to Iowa and her people.

Prior to the rebellion, the people of the United States had been for a quarter of a century engaged in the discussion of such moral and political theories as were in their nature constitutional and fundamental. These questions, after years of acrimonious debate, were finally settled by that sternest of all arbiters—the sword. And now that they have been disposed of—and, as is believed wisely and permanently—we are invited to devote more thought and energy to the development of our intellectual and material resources.

Slavery has been abolished: the question now recurs, How shall the interests of free labor be best promoted? A new race has been given the ballot: the question comes back, How shall all men be stimulated to acquire such knowledge as will not only fit them to perform the duties of citizens intelligently, but with advantage to free society? All men have been declared “equal before the law;” now the question receives an added force, How shall all men be brought to feel an equal interest in the preservation of free government, and equal pride in the purity and glory of free institutions?

The great truth expressed by President Madison: “That the public good, the real welfare of the body of the people, is the supreme object to be pursued; and that no form of government, whatever, has any other value than as it may be fitted for the attainment of this object;” is no longer open to discussion.

Groping its way, in pursuance of this idea, through the twilight of liberal thought for nearly a century, this nation has arrived with reluctant steps, at a point in which it acknowledges, by the formality of a constitutional amendment, that the political freedom of every man, and his individual right to representation in its administration, is the chief corner-stone upon which rests the superstructure of free government. This theory is now forever settled and eliminated from political controversy.

Next to political freedom, the most important element of a good government is an intelligent people. Here we approach a question which will test, in some measure, the wisdom of this legislature. The school system of Iowa—when our youthfulness as a State is considered—does not suffer by comparison with that of any State in the Union. But this should not satisfy the aspiration of a people, the affluence of whose intellectual and material resources will render their failure to reach the highest educational possibility an inexcusable folly. That we have attained this advanced



position—though occupying a line near the front—will not be argued. While perfection in human institutions is not attainable, every improvement which experience or philosophy suggests to a thinking and progressive people will receive, at least, the response of a fair discussion. In this view, it is my purpose briefly to review an acknowledged need of our common schools.

There is no principle in modern theories of education so well attested, as that to improve our schools, we must improve the training and scholarship of the teachers. And for this purpose there has been no more effective instrumentality devised, than that, so generally adopted by many States, known as Normal Instruction. That in the administration of our State government, a wise economy in the expenditure of money should be observed, cannot be doubted. But intrenchment in any reasonable expenditures for educational purposes would not be economy. The accumulated wealth of the State must, in some manner, and at some time, pay for its own protection. If citizens of large wealth would place a guard over their treasurers, more reliable than locks or bolts of safes, and cheaper than the iron bars of prison cells, the *per diem* of jurors, or the salaries of sheriffs and judges, that safeguard will be found in enlarging and perfecting the common school system of Iowa, until no citizen can reach maturity without obtaining a fair education.

If asked why this constant effort at improvement is continued, after the great advancement our State has made in this direction, it may be answered: there is an analogy between systems formed by human agency and the character of man. Moral and mental philosophy demonstrate the inability of man to remain stationary. He must either go forward, or he will involuntarily go backward. Thus, it is found in the older States, there must be constant effort to improve the effectiveness of the school system, to keep it in motion, even at the standard it has already attained. It may be said, however, the teacher can obtain the instruction necessary in the High School or University. This, so far as mere culture is concerned, is doubtless true; but, after the general culture is received at these institutions is obtained, the student who is successful in life must become a specialist. The acquisitions of the ordinary course in the College or University may be termed CULTURE. The acquirements made preparatory to a life-work in some profession, constitute TRAINING. And this *training*, for those who purpose teaching, the Normal school is designed to supply. It may seem a formidable undertaking to bring twelve thousand teachers into this special training, preparatory to their work. For myself, I do not think immediate success will be attained; and for a time the effort will probably seem barren of the desired results. But if a few succeed they will have a reflex influence through Teachers' Institutes and like agencies, upon others, until the profession of the teacher will be lifted to a dignity and usefulness which higher intelligence alone

can give it. It has been the experience of all ages, in all departments of human endeavor, that, where a few men were raised above the level of their age, they would go forth, equipped for the activities, "leavening the whole lump," until the age, in turn, was lifted above itself. Such spirit and effectiveness ought to distinguish the educators of Iowa.

The Normal Department connected with the State University, has accomplished much, but facilities should be provided that will enable the system to reach larger results. How and by what means this shall be done will depend upon those steps you may regard as justified by wisdom, and the condition of the treasury, when reasonable provision has been made for enterprises already begun.

While upon the subject of education, I will be excused for alluding to the high position attained by our State University and Agricultural College, among the educational institutions of the country. I am pleased to do this, not only as due to the merits of these institutions, but as their processes of teaching serve to illustrate the principle of special training I have sought, in my remarks upon Normal Schools, to unfold.

While the State University was originally founded upon the theory of exclusively promoting general culture, the practical character of the age has modified its curriculum, until departments for special instruction have given it a standing it could never had acquired or deserved without them. And it is hoped that the day is not distant, when the young men and women of Iowa will not feel it necessary to go into other States to acquire either general literary culture, or professional training. This institution, not only from its history, and the nature of the work it is designed to accomplish, but the character of the able gentlemen who fill its chairs, would seem to command itself to your favorable consideration.

In our Agricultural College the same sentiment, in favor of special training for the duties of life, finds emphatic expression. This College, generously endowed with a grant of public lands from the United States, is designed to secure a liberal education to the industrial classes. Here, the promotion of agriculture, and the mechanic arts are kept prominently in view; whatever branches of learning receive attention, it is designed that nothing shall preclude the study of natural science, in its application to human industry. Men of intellectual vigor are developing this experiment, not only here, but in other States; and in a State so eminently agricultural as Iowa, in my judgment, it commends itself to every man, whose love of his race looks to the future improvement of the foundation upon which human industry rests.

The Experimental Farm connected with the College is being brought into a fine state of cultivation. Agriculture, horticulture, and the mechanic arts are all receiving attention, while labor in every department is being systematized and put upon a paying

basis. It is sometimes said that an experimental farm ought not to be connected with any institution of learning, as it will not pay expenses. This argument would be equally good against a chemical laboratory or philosophical apparatus in any college in the country. The idea of improving and perfecting agriculture by a college curriculum is sometimes scouted; but when we remember that the mining schools in Europe have so improved the hand that wields the pick, and even the muscle that wheels the slag from the furnace, as to develop an ability to work low grade ores profitably, which starved uneducated workmen before the establishment of these schools; it must be acknowledged that the multifiform specialties of the farm, requiring brain to plan and skill to execute, will be benefitted by scientific instruction. The very fact that the labor of the farm is coming to be so largely performed by machinery necessitates greater intelligence among those who use the machinery. This College already begins to bear fruit. A series of Farmers' Institutes was held last winter in different counties throughout the State, conducted by the President of the College and others connected with it, resulting in numerous appointments and applications for similar Institutes, in different counties of the State, the present winter. Wherever these institutes were held, they have given agriculture a new impulse among the people, eliciting thought, inciting experiments, and tending to increase in the farmer a much needed pride of profession.

A wise disposition of these educational questions will tend to dispose, in advance, of the so-called labor problem. The opinion prevails, in certain quarters, that there is an antagonism between capital and labor, and upon this doctrine parties for political action are being organized. It would seem that, with the diversity of occupation our State is capable of affording, and will afford when her manufacturing ability and illimitable resources are fully developed, with the empire of unoccupied territory in this country, upon which surplus population can overflow for a century to come, this issue would here be indefinitely postponed. This generation having removed the badge of dishonor which slavery affixed to labor, by striking the shackles from every foot that treads our soil, has done more to lift up and dignify human industry than could be accomplished by a dozen social revolutions. But, notwithstanding this, as these labor questions have come in older States, unless their causes are provided against, they will be upon us.

Though political economy may teach that there is no antagonism between capital and labor; that the more capital there is, the more labor will be employed, and the better it will be paid; that capital is simply what is saved by the prudent foresight and self-denial of one class of laborers, to be used in the employment of other labor, to produce more capital; still many will believe in the future, as in the past, that some statute of talismanic power might be framed which would solve every social problem. If the economist argues,

upon the proposition to reduce labor by statute to eight hours a day, that such action will diminish the accumulated wealth of the world, by so much as the additional two hours' daily labor, of its combined industry, would produce—and that in proportion to this diminution of wealth, the comforts of mankind will be lessened; that the houses to shelter both capitalist and laborer, the clothing they wear, the food they eat, and their resources for intellectual and social enjoyment will all be diminished, while capital will possess the power, then as now, to appropriate the greater proportional share of the remainder, leaving less for division among those whose sole capital is labor—we may be told this argument is inspired by the tyranny of capital. But when we convince the world that knowledge has greater power than capital; and that if man can be taught to work with so much defter hand and more inventive brain, aided by the ingenious appliances which take the place of muscle, as to be able to accomplish in eight hours as much as he does now in ten, then this social problem will solve itself, without the intervention of statutory force. So, after going round the circle of theories upon which hinge the progress and prosperity of the people, we come back at last to the point from which we started, and emphasize the fact that the intelligence of the coming man will more effectually aid him, than, either labor-strikes or all the arbitrary statutes fixing hours of labor, and prices to be paid therefor, which the ingenuity of political science can devise.

The next most important subject capable of being influenced by legislation, upon which depends the solid happiness of the people, is their material progress and prosperity. And as Iowa is so largely agricultural, this inquiry naturally resolves itself into the solution of the problem, How shall the products of the soil be made to yield the largest returns to the producer? To bring the manufactured articles required by our people, and the products of their industry, nearer together, in my judgment, is of paramount importance. That the producer would be materially benefited if the wagon, reaper, plow, and cultivator, with which he plies his industrial enterprises, and the cloth he wears, were manufactured at his market town, whither he could carry his surplus products and exchange them for these necessities, saving cost of transportation long distances both ways,—is a proposition so self-evident that it needs no support by argument. But while the General Government may, as an incident of its power to collect revenue and the necessities of its treasury, be able to discriminate so as to encourage such industries as are compatible with our habits, climate, and resources—and wisely exercises such discrimination—a State having no such authority, it may be asked: How can legislation aid us in this particular? It is answered, if we can do nothing more, it is possible, through our Board of Immigration, to call attention to our manufacturing resources. The fact that Iowa is supplied with coal mines developing veins from six to eleven feet in thickness, which invite new

industries to their vicinity; with water power unimproved, with lead-mines, in which new lodes are daily discovered; with black-walnut and other woods for manufacturing purposes; with inexhaustible gypsum beds; with limestone quarries of every variety; with clays for the production of all kinds of brick and pottery; and with other resources inviting skill and capital, so numerous, as to forbid, now and here, the mention—might be set forth in a pamphlet, which, distributed by the Board of Immigration, could not fail to attract attention, and produce results. Two years ago an appropriation of five thousand dollars was made in the interest of immigration, and counting every able-bodied man influenced to settle in Iowa, thereby, as an addition of five hundred dollars to the material wealth of the State, this sum has yielded a percentage in its present and remote influence upon our prosperity, not easily calculated by the ordinary methods of computation.

Another telling influence upon the profits of the producer, in this State, as in others, is the cheapness, accessibility, and abundance of good fuel. While we have coal-mines which will yield sufficient fuel for more than the wants of any probable population in the future of this State: yet owing to costly process of mining, and exorbitant charges upon local freights, this indispensable article is so expensive as largely to discourage immigration. Coal, here, as elsewhere, is coming to be regarded as the principal article for fuel, and it is probable that more than half our population, will throughout all the future depend upon it for this purpose. Indeed, the extent of the coal-fields of Iowa measures the capacity of large portions of our own State, as well as States adjoining us, for occupancy and improvement. Therefore, anything that can be done to promote prospecting for, and the opening of, new mines; to encourage and protect miners in their employment; and to cheapen the transportation of this article, will greatly accelerate the settlement of our fertile prairies, lessen the price of fuel throughout the State, and be an invaluable aid to future manufacturing enterprises.

Another means of promoting the results of industry, by legislative influence, is to keep the burdens of taxation down to the minimum standard. I would carry forward to completion, with judicious economy, those enterprises already commenced. If the prudent man of business, as a legislator, will act upon the same principle in regard to public expenditures which he observes in the conduct of his own private affairs, he will measure his public duties by a standard that will seldom produce extravagance. The danger, usually, is not in the larger appropriations which attract public attention, and the disbursement of which are narrowly watched by the people, but in smaller amounts which receive but little examination, and are voted upon with the remark: "It is but a trifle, anyhow." Perhaps it will not be thought out of place in this connection to say, that during the earlier part of the session, when, unlike its closing hours, there is no haste, the general



appropriation bill should be examined and perfected, or as nearly so as practicable; and then amendments sought to be inserted in the last hours, should receive a searching analysis. When individuals, during the confusion necessarily preceding the adjournment, clamor for the recognition of claims which the entire session has afforded them opportunity to fully present, when they could have been thoroughly canvassed, this fact of itself should elicit a careful scrutiny as to their merits.

And here I may not inappropriately speak of the uncalculating manner in which many communities—and especially of the more sparsely populated counties—impose taxes upon themselves. If there is legislative power this should be remedied. I cannot think it would do municipal corporations a very great injustice, so to hedge the privilege of imposing obligations upon themselves, that their power to contract debts will be kept somewhere within the boundary of ability to pay.

Appropriations for our benevolent institutions will, of course, reach the extent of their needs, economically estimated. The Reform School, though of recent origin, is doing a noble work, and commends itself to your consideration. The Soldiers' Orphans' Homes are doubtless becoming less burdensome to the treasury, as the children for whose care and education they were intended, are yearly reaching an age of self-support. Still, while the necessity for such care continues, we will but echo the voice of patriotism, by liberally providing for the children of those noble men who illustrated Iowa in the Great Rebellion. Such appropriations for carrying forward the work upon the Capitol Building, and the Insane Hospital at Independence, as may be necessary and attainable, without increasing the taxes of the people, will doubtless be sanctioned both by wisdom and economy. The condition of the treasury, and the amount that can be judiciously expended upon these buildings in the next two years, evidently should determine the limit of these appropriations. It may be necessary to add some expense to the Penitentiary to make it equal to present requirements. In reference to convict labor, it has always seemed to me that, if the avenues in which such labor could be employed were increased, not leaving the State so entirely dependent upon the grasping caprice of contractors, it would be of advantage to the State and improve the prison management.

No appropriation ought to exceed the amount which can be economically applied to the purpose intended; as, whatever confidence may be reposed in public officials, they should not be tempted to extravagance by appropriations out of proportion to their objects. The honesty and economy with which governments like ours are administered depend upon the people. As the stream does not rise above its source, so, where the people are the source of power, those elected to office generally represent a fair average of the honesty and intelligence of the masses. A late

election in a sister State, where the people, especially of the great metropolis, had been wrought up to an appreciation of public duty, by a series of political villainies never paralleled upon this continent, has illustrated the fact, that when the intelligent masses are once aroused, and move with a determinate purpose, they have power to crush venality and corruption as easily as a giant can set foot upon a worm. But, while it is proper to reform political abuses where they have been permitted to grow to overshadowing proportions, it is better for the people to keep so constantly on the alert as to give no opportunity for such abuses to develop.

Cheap and reliable facilities for the exchange of products are the last, though not least important, aids of profitable production to which I propose calling attention at the present time. The consideration of this question will involve a brief discussion of the railway problem. And when it is understood that during the last forty years more than six thousand millions of dollars of the world's capital has been invested in railways, and that throughout our entire country this mode of travel and transportation is fast superseding all others, the importance of finally and equitably defining the relation between railways and the community can, in a measure, be realized. Henry Clay, a statesman of prophetic forecast, believed, a half century ago, that his efforts in behalf of the Cumberland turnpike would connect his name with an enterprise of enduring greatness; and that it would especially be remembered to his credit by the multitude who would journey along it in all the future of the Republic. But to-day, that turnpike, and common roads everywhere, are fast passing into disuse, except as mere local conveniences; whilst the habits of the people are now conformed to a new mode of commerce and communication. The private citizen who could once put his own wagon upon the road, or boat upon the river and lake, now finds himself forced, in order to keep pace with the world's business habits, to intrust his person and his property, in moving from point to point, to a transportation monopoly. A consideration of these facts cannot but impress thinking men with the importance of a railroad question.

I do not regard the pretense that railways are beyond the control of law, in respect to fare and freights, as worthy of more than a moment's consideration. It cannot be conceded that a corporation, when asking the right of eminent domain, may avow the purpose of building a public highway, for which purpose alone it could hope to acquire this prerogative of sovereignty; and, when the right has been conferred and accepted, and is enjoyed, may declare itself independent of statutory control, in the limitation of fares and freights, on the ground that a railway is private property. It has been said that "both currency and internal communication between different portions of a State are exclusively the prerogatives of sovereignty." If, therefore, banks owe a debt to the community as well as their stockholders



for the prerogative franchises with which they have been clothed, there can be no question of the consideration due from railways for their still greater privileges. As an individual cannot conclusively determine his own rights in respect to his dealings with community, it is not to be supposed that a vast moneyed power, subject to the restrictions of a common carrier, can assume prerogatives denied, in this regard, to a private citizen. It has always seemed to me that railroad men, to as great an extent at least as any other persons, would have a deep interest in the effectiveness and stability of wholesome statutes, as upon pure and just law the permanent value of their stocks and franchises alone depend; yet it is a fact that the possession of enormous franchises breeds a contempt for law. There can be no clearer duty, therefore, than for the State to maintain its power over railway and all other corporations of her own creation. And if Iowa ever abdicates this sovereignty, she will have proved herself unworthy the dignity of a free commonwealth.

Approaching, however, the question, as to how fares and freights shall be regulated, I am free to admit the difficulties which surround it. Many experiments have been tried in other States, some of which defeated the very end they were intended to promote. If all railways were alike in cost of construction and operation, and in their earnings, the problem could easily be solved; but when the facts confront us, they present unexpected difficulties. That we can, by arbitrary statute, fix the price for freights upon all articles, and on all roads, and do justice to the community and the railways, seems almost impossible. To establish a like freight upon a ton of iron and a ton of tea, or per car for the transportation of a car-load of common horses, or the fancy stock of the sportsman or breeder, with the difference in liability in the one case as compared with the other, illustrates the obstacles in the way of adjusting a tariff of freights so as to meet the various demands of commerce. When we consider, further, the difference of expense in operating railways: one having easy grades and running through a level, agricultural country, with light expenses and a local business profitable to stockholders; another through a hilly region, with sharp curvatures, heavy grades and a limited local business: the difficulties are increased. And if we consider the further fact, that one road may be largely supported by passenger traffic, while another is specially a freight, coal, or lumber road, it still further multiplies the obstacles in our pathway.

There are, however, some abuses which, in my judgment, are capable of remedy by legislative intervention. We are sometimes told that competition will settle all these questions. But this cannot be true. George Stephenson once said, "Where combination is possible, competition is impossible;" and that is true to-day. Indeed, competition not unfrequently proves a source of oppression to the people. Railways are generally designed as commercial

channels between certain points, while the intervening country, with its business, is regarded as only an incident of their main purpose. It frequently happens that rival railways, though connecting the same points, widely diverge in their passage through the country they traverse. If, for any cause, competition for the through business becomes sharp at the ends of these lines, freight have at times been reduced below cost, the companies making up their losses by exorbitant charges on the intervening country. An evil of this nature, legislation ought to reach.

The habit of "stock-watering," which has grown up of late years, not only in railway corporations, but in other companies possessing corporate power, ought to be prohibited. Although throwing fictitious stock upon the market, for speculative purposes, may seem harmless to the operators, the tax, which in the way of interest and tolls must be paid by the people, is one feature of the transaction in which there is no fiction.

Allowing drawbacks to large dealers or favorites, thus, in effect, driving small dealers from business, and breaking down competition in the purchase of products, is opposed to public policy, and should evoke statutory inhibition.

Discrimination against water transportation is both unjust and oppressive to the producer, and should elicit regulations; while if the State can encourage, by moral influence, the opening of direct water communication with the Atlantic sea-board, it will aid in giving the West one channel for the shipment of surplus commodities, a large portion of each year, upon which competition can be made effective.

I have thus briefly called attention to some of the points in this matter which seem to demand your attention. With the limited examination I have been able to bestow upon it, I am persuaded that full knowledge of the whole subject is of the first importance. In the determination of the rights and interests of the community and the railways, involving issues so fundamental and important, in my judgment there should be a tribunal which would thoroughly examine the entire field of inquiry, and report facts and conclusions with a spirit of judicial fairness. It may be these anomalous interests have not yet assumed such proportions as to require, immediately, the creation, with the consequent expense, of a commission; but when they shall have reached such proportions, I have no doubt this action will be both wise and expedient. As the rights and duties of the community, the stockholders, and the operators of railways, should be well understood by all parties, I am led to suggest, whether it would not be well to have prepared a compilation or digest, in a single pamphlet volume, of all laws in relation to this subject. Giving them the same convenient form, as our road and school laws would, greatly facilitate ready reference, and remove any excuse for being ignorant of the law.

The question of railroad taxation will also come to your attention. Whilst I have no hesitation in saying that a larger revenue should be collected from our railways, I am not able to see that the same mode of assessment should be adopted as is applied to the assessment of private property. It would seem to be unjust in many particulars, and, withal, very nearly impracticable. But that the property of corporations should be taxed uniformly with that of private citizens is both constitutional and right. It has cost many sacrifices to establish the principle of "equality before the law," and no individual or corporation should escape the operation of a principle so beneficent. This principle should not only be applied in the taxation of railway property, but in dealing with the entire question. If, however, we assess railways in the same *manner* as other property, a few townships in each county will reap the benefit of all local taxes, and a few towns in the State of all tax upon rolling-stock and other property. For these, with other reasons, it would seem to be unjust to a very large majority of the people of the State, who do not live in townships and counties having railroad advantages.

It would also work injustice to the railways. The value of a railroad is evidently not in its right of way, embankments, masonry, bridges, ties, iron, machinery, locomotives, cars, buildings, &c., &c., but in the essential franchise. And the value of this franchise is dependent upon dividends. If railway property is assessed by the same mode employed in the assessment of other property, the road constructed through the hilliest country, with the most expensive bridging, would be liable to the larger assessment though it paid the least. Such a policy would be dictated by neither wisdom nor justice. The constitutional provision that "the property of all corporations for pecuniary profit shall be subject to taxation the same as that of individuals," while unmistakable as to amount, is, in my judgment, not directory as to the mode of assessment. Therefore, if a policy should be adopted which would operate unequally, in the valuation of railway property, as compared with that of private persons, or the result of which would be to tax, in some instances, railway property at twice its value—having paid once upon hypothecations—it might result in litigation, and perhaps decisions adverse to the State. Indeed, I understand this very liability in relation to mortgaged real estate of private persons, is provided against in the amendments to the Revision of 1860, submitted to you by the Codifying Commissioners.

In saying this much, however, I in no wise deviate from my unyielding conviction that railway companies should be taxed uniformly with every private citizen in the State. Upon this point I would not be misunderstood. Having confidence in your wisdom, as the representatives of the people, I have no doubt you will be able to originate such measures, as a basis upon which to tax this

class of property, as will secure to the State the full amount of revenue which should accrue from the aggregate value of all the railways, and at the same time do justice to all parts of the State, and to the railroad companies.

Closing what I have to say upon these questions of a general nature, permit me to call your attention to a matter which though somewhat exceptional in its nature, demands your earliest consideration. I refer to the position of a large number of settlers on what is known as River Land, situated in the Des Moines Valley. I will not stop here to argue that the State should take some action to bring this question to the attention of Congress, and should earnestly besiege that body until such compensation is made to these people, as will enable them to buy their land of the parties in whom the Supreme Court of the United States has lately adjudged the title to exist. It seems to me the simple facts in the case are sufficient to commend it to the favor of every just and humane man.

I desire, however, to answer an objection which has been urged against the claims of these settlers. It is said they knew the title to this land was in dispute, and in going upon it took their chances. This is sufficiently answered by saying, that when different officers of the land department at Washington disagreed in reference to the extent of this grant, whereby it was kept oscillating under conflicting decisions, between the State and general government, for twelve years; and when the Supreme Court, in 1859, decided the grant did not extend above the Raccoon Fork (or city of Des Moines); and when the Commissioner of the General Land Office, Secretary of the Interior, and other ministerial officers of the general government were so far convinced that these lands were open to settlement and pre-emption as to issue patents to hundreds of these claimants and to set apart indemnity lands, under the grant of July 12th, 1862, in place of these pre-emptions, can it be presumed these settlers would be able to see through the technicalities which finally produced a decision of the court holding their titles invalid?

I cannot believe, if the merits of these claims are properly presented to Congress, that they will go unadjusted. A case almost precisely parallel to this, relative to lands on the Virginia soldiers' reservation in Ohio, a portion of which was sold by mistake, in reference to the boundaries of the reservation, to large number of settlers, and afterwards entered by Gen. McArthur and others with Virginia bounty scrip, was fully indemnified by the United States, as far back as 1821; and it is believed the sense of justice is as strong now, both in our people and government, as at any former time. That it will cost something is true; but the army and navy had better be reduced than to suffer this crying wrong to go unadjusted. The love of the people for their government, secured and retained by the knowledge that it will suffer no wrong to its weakest citizen, is a cheaper defense than standing armies. I believe the State should appoint an agent

to proceed at once in a thorough examination of each of these disputed titles; that lists should be made containing the name of the settler, the length of time he has occupied the land, the *status* of his title; whether he has a patent from the general government, a certificate of pre-emption, or simply a squatter's claim; the date of his record title, if he has one, and the probable value of his improvements. This report would enable those pressing these claims at Washington to do so intelligently, and with ability to approximate the appropriation necessary to secure a fair adjustment.

The report of the Codifying Commission will claim your attention. As it is the work of distinguished lawyers, who have given the subject upon which they report deliberate thought and study, I have no doubt the adoption of their suggestions will tend to round out and perfect our code of laws.

In reference to amendments to existing laws generally, in my judgment, it is well to bear in mind that all changes are not reforms. When the people come to know the law, and their habits are conformed to a system, unless it can be materially improved, it is unwise to confuse public business with needless innovations.

But as my predecessor has submitted an able and comprehensive Message—with the conclusions of which I heartily agree—any further reference to these special subjects would be a work of supererogation.

I have thus rapidly reviewed a few of the salient points which have presented themselves to my mind as capable of ministering to the progress, prosperity, and happiness of the people. But, while so much may be expected from intellectual and material growth, I would not be understood as ignoring the fact, that the future of Iowa is largely dependent upon the morals of her citizens. Believing as I do that, "except the Lord build the house, they labor in vain that build it," I am but loyal to a settled conviction of public duty in acknowledging my need, not only of that support which comes from the confidence of the people, but the aid of that Divine Ruler who is too wise to err, and to whose laws nations, as individuals, are alike amenable.

Although gratefully accepted from the hands of a generous people, I am not unmindful of the great responsibilities of the position they have conferred upon me. These reflections impress me the more forcibly when I remember that my acts will be compared by a discriminating public with those of an unbroken succession of predecessors, whose statesmanship has given an added luster to the history of the generation they so wisely served. It in no wise relieves these misgivings, to reflect that this comparison will be all the more sharply drawn from the fact that I assume these duties as the immediate successor of the distinguished gentleman who, during the last four years; has performed them with such signal honor to himself and advantage to the State.



*Gentlemen of the Fourteenth General Assembly:* The trust confided to us in our co-ordinate departments, is of no ordinary moment. I hope to co-operate with you in measures which will tend to promote the welfare of the people of Iowa. That I shall uniformly be free from error is hardly probable; but, believing in the utmost frankness, in my administration of these duties, I shall have no concealments from you, from my friends in other departments of the State government, or from the people. Even a mistake frankly acknowledged, followed by sincere attempts to retrace the steps taken in a wrong direction, is generally relieved of half its otherwise evil consequences. We may differ upon some measures of public policy. We may, as partisans, be Republicans and Democrats. But there is one particular in which we will not differ: in our abiding love for Iowa and her people, we are one. And my desire is, we may so meet our joint responsibilities that, in the great realm of the future, Iowa, in her character for patriotism, virtue, and intelligence, will stand an exemplar in the sisterhood of States, the number of which no prophet may to-day predict: all constituting "one nation, one sovereign nationality, with one governing civilization, one inspiring history, one alluring hope, one foredated future destiny, and one eternal weight of earthly glory."

CYRUS C. CARPENTER.

On motion of Mr. Irish the Joint Convention was dissolved.

The House called to order by the Speaker.

Mr. Irish moved that when this House adjourn, it adjourn till Tuesday next at ten o'clock.

The question recurring on the motion Mr. Morrison demanded the ayes and nays, which were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Butler, Campbell, Clark of Benton, Close, Davisson, Dayton, Dumont, Duncombe, Gear, Green, Hall, Heberling, Hewett, Hovey, Irish, Keables, McClure, Merrill, O'Donnell, Paul, Rohlf, Sandry, Skillin, Stow, Tuttle, Van Deventer, and Van Saun—28.

The nays were—

Messrs. Beatty of Cedar, Beatty of Jasper, Beresheim, Bergh, Blackman, Blake, Blakely, Bliss, Bonewitz, Cadwell, Caldwell, Cardell, Carver, Clark of Iowa, Crawford, Danforth, Davis, Day, Draper, Duncan, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Goodspeed, Hanson, Hopkirk, Johnson, Kasson, Leahy, Lee, Litzenberg, Maxwell, McAllister, McCoy, Miller, Morrison, Newbold, Peet, Perkins, Pratt, Reed, Reuther, Rice, Rule, Schweer, Secor, Stedman, Stewart, Struthers, Teale, Tufts, Van Meter, Whitten, Wilson of Keokuk, Wilson of Washington, Wood of Clay, Wood of Story, Wright of Mills, Wright of Van Buren, and Mr. Speaker—63.

Absent or not voting—

Messrs. Ballinger, Booth, Cadwell, Hanan, Hilton, Kaier, Miles, Tasker, and Williams—9.

So the motion did not prevail.

Mr. Irish moved that when this House adjourn, it adjourn till next Monday at two o'clock.

The motion prevailed.

On Motion of Mr. Goodspeed a committee of five was appointed to estimate the amount of mileage due each member and report at two o'clock on next Monday.

The Speaker announced as such committee, Messrs. Goodspeed, Dumont, Plet, Tufts and Rule.

On motion of Mr. Beresheim, the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES IOWA, January 15, 1872. }

TWO O'CLOCK, P. M.

The House convened pursuant to adjournment.

The Speaker in the chair.

Prayer by Rev. W. J. Gill.

The journal of last day's proceedings, read and approved.

#### PETITIONS.

Mr. Butler presented a petition from the citizens of Page county on the subject of railroads, which was referred to Committee on Railroads.

Mr. Irish presented a petition from the Grand Jury of Johnson county, praying for a judicious license law for the sale of whisky. Referred to Committee on Intemperance.

Mr. Miller presented a petition from the citizens of Appanoose county, in reference to school districts. Referred to Committee on Schools.

Mr. Irish presented a petition from the citizens of Johnson county, asking for the passage of a law authorizing municipal corporations to compromise, renew, or extend the time of the payment of their debts. Referred to Committee on Judiciary.

#### REPORTS OF COMMITTEES.

Mr. Goodspeed, from the Committee on Mileage, presented the following report:



NAMES.	Miles	Amount.
Ainsworth, L. L.....	600	90.00
Appleton, A. R.....	460	69.00
Ballinger, W.....	400	60.00
Beatty, J. W.....	465	69.75
Beatty, J. P.....	80	12.00
Beresheim, J.....	282	42.30
Bergh, K. E.....	600	90.00
Blackman, W. W.....	598	89.70
Blake, F. A.....	320	48.00
Blakely, I.....	236	35.40
Bliss, L. O.....	300	45.00
Bonewitz, P. G.....	450	67.50
Booth, C. H.....	600	90.00
Butler, W.....	560	84.00
Cadwell, P.....	380	57.00
Caldwell, S. T.....	172	25.80
Campbell, E. J.....	240	36.00
Cardell, L. E.....	130	19.50
Carver, J. H.....	172	25.80
Clark, F. G.....	371	55.65
Clarke, J. C.....	238	35.70
Close, C.....	460	69.00
Crawford, J. H.....	390	58.50
Danforth, W.....	635	95.25
Davis, F. M.....	180	27.00
Davisson, D. D.....	76	11.40
Day, E.....	312	46.80
Dayton, H.....	650	97.50
Draper, I. E.....	44	6.60
Dumont, S. B.....	400	60.00
Duncan, F. A.....	380	57.00
Duncombe, J. F.....	178	26.70
Durham, D. T.....	110	16.50
Ellsworth, L. F.....	170	25.50
Ericson, C. J. A.....	150	22.50
Evans, W. O.....	272	41.30
Flenniken, R. B.....	650	97.50
Freeman, J. H.....	392	58.80
Gear, J. H.....	330	49.50
Goodspeed, M.....	450	67.50
Green, J. W.....	350	52.50
Hall, B. J.....	330	49.50
Hanson, J. M.....	302	45.30
Heberling, G. C.....	560	84.00
Hewett, S. B., Jr.....	208	31.20

NAMES.	Miles	Amount.
Hilton, J.....	210	\$ 31.50
Hopkirk, W.....	250	37.50
Hovey, J. M.....	420	63.00
Irish, J. P.....	260	39.00
Johnston, A.....	426	63.90
Kaier, M. E.....	610	91.50
Kasson, J. A.....	...	3.00
Keables, B. F.....	96	14.40
Leahy, M. A.....	800	45.00
Lee, J. M.....	80	12.00
Litzenberg, W. D.....	459	68.25
Maxwell, W.....	80	12.00
McAllister, W. L.....	160	24.00
McClure, J. S.....	375	56.25
McCoy, D. J.....	260	39.00
Merrill, W. A.....	400	60.00
Miller, C. B.....	270	40.50
Mills, O.....	239	35.85
Morrison, John.....	200	30.00
Newbold, J. G.....	320	48.00
O'Donnell, F.....	600	90.00
Paul, G.....	200	39.00
Peet, O. F.....	575	78.75
Perkins, C. G.....	410	61.50
Pratt, H. O.....	512	76.00
Reed, W. H.....	470	70.50
Ruther, L.....	660	99.00
Rice, J. ....	100	15.00
Rohlf, W. J.....	386	57.90
Rule, G.....	416	62.40
Sandry, A.....	640	96.00
Schweer, C.....	350	53.40
Secor, D.....	450	67.50
Skillin, J. A.....	435	65.25
Stedman, E. M.....	400	60.00
Stewart, E. M.....	402	60.30
Stow, W. A.....	450	67.50
Struthers, R.....	250	37.50
Tasker, J.....	470	70.50
Teale, F.....	384	57.60
Tufts, J. Q.....	304	45.60
Tuttle, J. M.....	....	3.00
Van Deventer, J.....	440	66.00
Van Meter, H. G.....	44	8.80
Van Saun, G. B.....	480	72.00

NAMES.	Miles	Amount.
Whitten, L. . . . .	270	\$ 40.50
Williams, J. Q. . . . .	247	37.20
Wilson, J. F. . . . .	260	39.00
Wilson, James. . . . .	328	49.20
Wilson, C. H. . . . .	430	64.50
Wood, H. B. . . . .	400	60.00
Wood, W. K. . . . .	216	32.40
Wright, R. A. . . . .	400	60.00
Wright, J. R. . . . .	270	40.50

On motion of Mr. Ainsworth, the name of Mr. Hanan was stricken from the report until he shall take the oath of office.

Mr. Reed moved that the further consideration of the report be postponed until to-morrow morning.

The motion did not prevail.

Mr. Peet moved that the name of Mr. Kaier be stricken from the report of the committee on mileage.

The motion did not prevail.

Mr. Davis moved that the report be referred back to the committee with instructions to examine the facts, and report the mileage of each member of this House from the place of his residence to the State Capitol by the *nearest route*, whether it be a common road, stage, or emigrant route, or railroad.

The motion prevailed.

Mr. Duncombe, from the committee consisting of the members from the Eleventh Judicial District, submitted the following report:

MR. SPEAKER—Your committee, consisting of the members of the House from the Eleventh Judicial District, to whom was referred H. F. No. 2, a bill for an act fixing the time of holding the district courts in the Eleventh Judicial district of Iowa, report, that an amendment be added to section one (1) as follows: *Provided*, That the first term in the year 1872 for the county of Marshall, shall be held commencing on the seventeenth Monday after the first Monday in February, and the first term in the county of Story, for the year 1872, commencing on the fourth Monday after the first Monday in February, 1872, instead of being held as herein provided, and with such amendment, recommend its passage.

JOHN F. DUNCOMBE, *Chairman*.

The report was adopted.

House File No. 2, a bill for an act fixing the time for holding the district courts in the Eleventh Judicial District of Iowa, was taken up and considered.

On motion of Mr. Duncombe, the rules were suspended and the bill was read a third time.

Upon the question, "Shall the bill pass?" the ayes and nays were as follows:

The yeas were:

Messrs. Ainsworth, Appleton, Beatty of Cedar; Beatty of Jasper; Bergh, Blackman, Blake, Blakely, Bliss, Bonewitz, Booth, Butler, Caldwell, Crawford, Danforth, Davis, Davison, Day, Dayton, Draper, Dumont, Duncombe, Ellsworth, Ericson, Evans, Flenniken, Freeman, Goodspeed, Hanson, Hewett, Hopkirk, Hovey, Irish, Johnson, Kasson, Keables, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, McCoy, Miller, Mills, Newbold, O'Donnell, Paul, Peet, Perkins, Pratt, Reed, Reuther, Rice, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Teale, Tufts, Tuttle, Van Meter, Whitten, Williams, Wilson of Keokuk; Wood of Clay; Wood of Story; Wright of Van Buren, and Mr. Speaker—Total, 74.

The nays were:

Messrs. Beresheim—Total, 1.

Absent or not voting:

Messrs. Ballinger, Cadwell Campbell, Cardell, Carver, Clark of Benton; Clark of Iowa; Close, Duncan, Durham, Gear, Green, Hall, Hanan, Heberling, Hilton, Kaier, Merrell, Morrison, Rohlf, Rule, Van Deventer, Van Sann, Wilson of Washington; and Wright of Mills—Total, 25.

So the bill passed and the title was agreed to.

#### INTRODUCTION OF BILLS.

Mr. Butler introduced House File, No. 4, a bill for an act to protect the people of Iowa from empiricism and imposition in the practice of medicine and surgery.

Read a first and second time, and referred to Committee on Medical Institutions, and ordered printed.

Mr. Irish introduced House File No. 5.

A bill for an act to insure the better professional education of practitioners of dental surgery in the State of Iowa.

Read a first and second time, and ordered printed and referred to the Committee on Medical Institutions.

Mr. Miller introduced House file No. 6.

A bill for an act to amend chapter 79 of the revision of 1860, creating mechanics' liens, and to secure mechanics and laboring men upon internal improvements their wages.

Read a first and second time and referred to Committee on Judiciary, and ordered printed.

Mr. Ellsworth introduced House File No. 7.

A bill for an act to protect the makers of promissory notes and other negotiable instruments from fraud.

Read a first and second time and referred to Committee on Ways and Means and ordered printed.

Mr. Appleton introduced House File No. 8.

A bill for an act to amend chapter 54 of the acts of the Thirteenth General Assembly of Iowa, "entitled an act to provide for the funding of county indebtedness and for the payment thereof.

Read a first and second time and referred to Committee on County and Township Organizations.

Mr. Ellsworth introduced House File No. 9.

A bill for an act for the protection of the life and health of miners.

Read a first and second time and referred to the Committee on Ways and Means and ordered printed.

Mr. Irish introduced House File No. 10.

A bill for an act to repeal chapter 48, of the acts of the Twelfth General Assembly, and chapter 102 of the acts of the Thirteenth General Assembly.

Read a first and second times and referred to the Committee on Railroads.

Mr. Reed of Jackson, introduced House File No. 11.

A bill for an act to amend an act passed by the Ninth General Assembly, entitled an act to amend chapter forty-five of the revision of 1860 being an act in relation to revenue.

Read a first and second time and referred to the Committee on Ways and Means.

#### RESOLUTIONS.

Mr. Ellsworth offered the following resolution :

*Resolved*, That for the use of the House six thousand copies of the Governor's Inaugural Address be printed in the English, two thousand in the German two thousand in the Holland languages, and that the sum of one hundred dollars is hereby appropriated for translation into the different languages, provided that but one charge shall be made by the State printer for said translations ordered by the House and Senate.

Mr. Irish moved to amend by printing two thousand in the Bohemian language.

Mr. Butler moved to amend the amendment by adding two thousand in the Swedish language.

The motion prevailed.

The motion to amend prevailed.

Mr. Teale moved to strike out six thousand in the original resolution, and insert ten thousand.

Mr. Danforth moved to amend the amendment by printing two thousand in the Norwegian Language.

Which motion prevailed.

The motion to amend by striking out six thousand and inserting ten thousand did not prevail.

Mr. Keables moved to amend by striking out one hundred dollars and inserting two hundred and fifty dollars.

Which motion did not prevail.

Mr. Blake moved to amend by adding one thousand in the Welch language.

The motion did not prevail.

Mr. Irish moved to amend as follows :

And that the Ways and Means Committee be instructed to report in the general appropriation bill a sum not to exceed two hundred and fifty dollars for translation.

The motion prevailed.

Mr. Beresheim moved to strike out two thousand in the German language and insert three thousand.

The motion prevailed.

The resolution as amended was adopted.

Mr. O'Donnell offered the following resolution :

*Resolved by the House, the Senate concurring,* That there be appointed a joint committee, consisting of three from the House and two from the Senate, to present a bill for the adoption of the Code recommended by the Commissioners to Revise the Laws.

Which was not adopted.

Mr. Irish offered the following resolution, which was adopted.

WHEREAS, The revenue laws of the State are oppressive in those provisions by which the interest and penalties on delinquent taxes are fixed and defined, and also in that they fail to provide adequate notice to the delinquent tax-payer of the sale of his lands and the expiration of his equity of redemption ; therefore, be it

*Resolved,* That the Committee on Ways and Means of this House, be hereby instructed to report an amendment to the said revenue law, which shall provide for no penalty on delinquent taxes other than the accrued interest at the time of sale, the cost of publication, and ten per centum per annum interest on that amount to the purchaser of delinquent lands. And further, providing for the foreclosure of the equity of redemption in open court with notice of suit served personally, or by publication, upon the delinquent tax-payer.

Mr. Irish offered the following resolution, which was adopted :

*Resolved,* That the resolution heretofore passed, assigning stationery to the reporters of the various daily papers represented on this floor, be hereby construed to mean that the amount of stationery to supply therein named, shall be given to each of said reporters.

Mr. Leahy offered the following resolution, which was adopted :

*Resolved,* That a committee of three be appointed to inquire into the feasibility of securing some mode of warming this Hall less

injurious to the health of its occupants than that now employed, and that said committee report at as early an hour as practicable.

The Speaker announced as the Committee, Messrs. Leahy, Blackman, and Hopkirk.

Mr. Morrison, from committee to confer with State Printer in reference to the cost of papers for the General Assembly, submitted a report, which, on motion of Mr. Kasson, was referred back to the committee.

On motion of Mr. Irish, the committee were instructed to report at two o'clock to-morrow afternoon.

On motion of Mr. Pratt, the Senate was requested to return to the House the papers in relation to postmaster, assistant postmaster, and mail-carrier, for the 14th General Assembly.

Mr. Draper offered the following resolution which was adopted:

*Resolved*, That leave be granted to F. M. Higgason, (a one-armed soldier), to keep a fruit and cigar stand in this building during the session of this General Assembly, in the hall of the second story, under the direction of the Doorkeeper of this House.

Mr. Evans offered the following resolution:

*Resolved*, That the Committee on Railroads are hereby instructed to report a bill to this House at an early day, regulating and fixing rates of fare and freight on all railroad lines within the State; also to report by bill or amendment to existing law, some method whereby the property of railroad corporations shall bear its equitable share of taxation.

Mr. Duncombe moved that the resolution be divided as to the question of fixing tariffs and the rates of taxation.

Mr. Peet moved to amend the amendment as follows: That the taxation be based upon the value of their stock invested in the State, instead of their gross earnings.

The motion did not prevail.

The motion to amend did not prevail.

Upon the adoption of the resolution, Mr. Irish demanded the yeas and nays, which were as follows:

The yeas were:

Messrs. Ainsworth, Appleton, Beatty of Cedar; Beatty of Jasper; Beresheim, Bergh, Blackman, Blake, Blakely, Bliss, Bonewitz, Booth, Butler, Cadwell, Caldwell, Cardell, Clarke of Iowa; Close, Crawford, Danforth, Davis, Davisson, Day, Dayton, Draper, Dumont, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Goodspeed, Hanson, Hewett, Hopkirk, Hovey, Irish, Johnston, Keables, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, McCoy, Miller, Mills, Morrison, Newbold, O'Donnell, Paul, Peet, Perkins, Pratt, Reed, Reuther, Rice, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Teale, Tufts, Tuttle, Van Meter, Van Sann, Whitten, Wilson of Keokuk; Wilson of Washington; Wood of Clay; Wood of Story; Wright of Van Buren; and Mr. Speaker—Total, 80.



The nays were :

Messrs. Duncombe and Williams—Total, 2.

Absent or not voting :

Messrs. Ballinger, Campbell, Carver, Clark of Benton; Duncan, Gear, Hall, Hanan, Heberling, Hilton, Kaier, Kasson, Merrell, Rohlf, Rule, Van Deventer, and Wright of Mills—Total, 18.

So the resolution was adopted.

The Speaker announced as the Committee on Rules: Messrs. Kasson, Ainsworth and Caldwell.

Mr. Irish moved to reconsider the vote by which the report of the Committee on Mileage was recommitted.

The motion prevailed.

Upon the question to recommit the vote was decided in the negative.

Upon the adoption of the report the ayes and nays were demanded, which were as follows :

The yeas were—

Messrs. Ainsworth, Appleton, Beatty of Cedar, Beatty of Jasper, Beresheim, Blackman, Blakely, Bliss Bonewitz, Booth, Butler, Cadwell, Caldwell, Clark of Iowa, Close, Crawford Danforth, Davis, Davisson, Day, Dayton, Draper, Dumont, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Goodspeed, Hanson, Hewett, Hopkirk, Hovey, Irish, Johnson, Keables, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, McCoy, Miller, Mills, Morrison, Newbold, O'Donnell, Paul, Peet, Perkins, Pratt, Reed, Reuther, Rice, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Teale, Tufts, Tuttle, Van Saun, Whitten, Wilson of Keokuk, Wilson of Washington, Wood of Clay, Wood of Story, Wright of Van Buren—Total, 78.

The Nays were—

Mr. Van Meter—1.

Absent or not voting—

Messrs. Ballinger, Blake, Campbell, Cardell, Carver, Clark of Benton, Duncan, Gear, Hall, Green, Hanan, Heberling, Hilton, Kaier, Kasson, Merrell, Rohlf, Rule, Van Deventer, Williams and Wright of Mills. Total—21.

So the report was adopted.

On motion of Mr. Lee the House adjourned till to-morrow morning at ten o'clock.

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, January 16, 1872,

House met pursuant to adjournment.  
Speaker in the chair.  
Prayer by Rev. W. J. Gill.  
The journal of yesterday read and approved.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following resolutions, in which the concurrence of the House is asked :

A resolution relative to that portion of the Governor's Inaugural which refers to the Des Moines river lands, and referring the same to a committee as therein set forth.

Also,

Preamble and resolution in regard to the mining for coal underneath Capitol hill.

Also,

A resolution in regard to excluding certain documents from the Journals of the two Houses, and requiring the same to be bound with the legislative documents.

All the resolutions are herewith submitted.

J. A. T. HULL, *Secretary.*

*Resolved by the Senate, the House of Representatives concurring,* That so much of the Governor's Inaugural Address as refers to the Des Moines River Lands, be referred to a joint committee composed of the Senators and Representatives from the counties of Polk, Boone, Webster, and Hamilton, and that said committee have liberty to report by bill or otherwise.

WHEREAS, Capitol Hill is underlaid with strata of coal, and miners are constantly taking out the same ; and

WHEREAS, There is danger that the property of the State may be undermined, and the site of the Capitol building seriously injured by excavating for coal ; therefore,

*Resolved by the Senate and House of Representatives,* That the Census Board are hereby directed to take whatever steps may be necessary to prevent mining underneath the State property, and to stop the taking out of coal from under the same.

*Resolved by the Senate the House concurring,* That of all documents ordered printed by either branch of this General Assembly which would otherwise appear in the journals, the State Printer shall print five hundred additional copies, which additional number shall be retained by the State Binder, who shall bind the same with the legislative documents required to be bound together by section two, chapter 114 of the laws of the Tenth General Assembly, and such documents shall be excluded from the Journal of the Houses of this General Assembly.

On motion of Mr. Kasson the House proceeded to the election of a United States Senator.

Mr. Pratt nominated Hon. Wm. B. Allison, of Dubuque county.

Mr. Duncombe nominated Hon. Joseph C. Knapp of Van Buren county.

The roll being called the vote was as follows :

Those voting for Mr. Allison were:

Messrs. Appleton, Beatty of Cedar, Beatty of Jasper, Beresheim, Bergh, Blackman, Blake, Bliss, Bonewitz, Booth, Butler, Cadwell, Caldwell, Cardell, Carver, Clark of Benton; Clark of Iowa; Close, Crawford, Danforth, Davis, Davisson, Draper, Dumont, Duncan, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Gear, Goodspeed, Green, Hanson, Heberling, Hewett, Hopkirk, Hovey, Johnson, Kasson, Keables, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, McCoy, Miller, Mills, Morrison, Newbold, Peet, Perkins, Pratt, Reuther, Rice, Röhlfs, Secor, Stedman, Struthers, Tasker, Teale, Tufts, Van Deventer, Van Meter, Van Sann, Whitten, Williams, Wilson of Keokuk, Wilson of Washington, Wood of Clay, Wood of Story, Wright of Van Buren and Mr. Speaker—76.

Those voting for Mr. Knapp were—

Messrs. Ainsworth, Ballinger, Blakely, Campbell, Day, Dayton, Duncombe, Hall, Hilton, Irish, Merrell, O'Donnell, Paul, Reed, Sandry, Schweer, Skillin, Stewart, Stow, Tuttle—20.

Absent or not voting—Messrs. Hanan, Kaier, Rule and Wright of Mills—20.

By leave Mr. Gear, Mr. Röhlfs, Mr. Hall, Mr. Green, and Mr. Heberling, were permitted to record their vote aye, on the resolution of Mr. Evans passed on yesterday in reference to the tariffs and taxations of railroads.

#### PETITIONS.

Mr. Davisson offered a petition from citizens of Madison county, on the subject of revenue. Referred to Committee on Ways and Means.

Mr. Greene presented the memorial of J. W. Pearman, in relation to cemetery records, etc., of Iowa soldiers. Referred to Committee on Military Affairs.

Mr. Hopkirk presented a petition from the supervisors of Jefferson county, in reference to the assessment of property. Referred to Committee on Ways and Means.

Mr. Perkins presented a petition from citizens of Monona county, asking an amendment of the Game Law. Referred to Committee on Agriculture.

Mr. Perkins presented a petition from the citizens of Monona county in reference to the snaring and catching of fish. Referred to Committee on Agriculture.

#### REPORTS OF COMMITTEES.

Mr. Morrison from the committee on procuring papers for the members of the House, presented a report, which was placed on file.

#### INTRODUCTION OF BILLS.

Mr. O'Donnell introduced House File No. 12, a bill for an act to prescribe rules and regulations for railroads, and to establish uniform and reasonable rates of tariff for the transportation of certain freights thereon.

Read a first and second time and ordered printed, and referred to Committee on Railroads.

Mr. Irish introduced House File No. 13, a bill for an act defining the meaning of the term "newspaper," as used in chapter 118, of the acts of the Eleventh General Assembly.

Read a first and second time, and referred to Committee on Printing.

Mr. Hopkirk introduced H. F. No. 14, a bill for an act for the taxation of railroad property.

Read a first and second time and referred to Committee on Railroads, and ordered printed.

Mr. Van Saun introduced H. F. No. 15, a bill for an act to amend the acts granting tax to aid railroads.

Read first and second time.

Mr. Close moved that it be referred to a special committee of three.

Mr. Evans moved to amend by referring to the Committee on Judiciary.

Motion prevailed.

Mr. Skillin introduced H. F. No. 16, a bill for an act to prescribe the time and manner of collection of taxes voted in aid of railroads.

Read a first and second time and referred to the Committee on Judiciary.

Mr. Freeman introduced H. F. No. 17, a bill to amend the present school law, so as to provide for the election of the treasurer by the people in independent school-districts, and for an equal representation of sub-districts or boards in board of directors.

Read a first and second time, and referred to Committee on Schools, and ordered printed.

Mr. Tufts introduced H. F. No. 18, a bill for an act to amend section 8, chapter 26, of acts of Thirteenth General Assembly.

Read a first and second time, and referred to Committee on Agriculture.

Leave was granted Messrs. Booth and Van Deventer to record their votes "aye" for Wm. B. Allison for United States Senator, and Mr. Campbell and Mr. Merrell were permitted to record their votes for Joseph C. Knapp.

#### CONCURRENT RESOLUTION.

Mr. Irish offered the following resolution :

*Resolved by the House of Representatives, the Senate concurring,* That our Senators in Congress be instructed, and our Representatives requested, to favor, by their influence and votes, the immediate submission to the States for their ratification, the proposed amendment to the Constitution of the United States now pending in Congress, which provides that no person who has ever held the office of President of the United States, shall be eligible to that office.

*Resolved,* That the Secretary of State furnish as soon as practicable, to each of our Senators and Representatives in Congress, a copy of this concurrent resolution.

Mr. Kasson moved to refer to Committee on Federal Relations.

Mr. Irish demanded the yeas and nays, which were as follows :

The yeas were :

Messrs. Appleton, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Bliss, Bonewitz, Booth, Butler, Cadwell, Caldwell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Davisson, Draper, Dumont, Duncan, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Gear, Goodspeed, Green, Hanson, Heberling, Hewitt, Hopkirk, Johnston, Kasson, Keables, Leahy, Lee, Lizenberg, Maxwell, McAllister, McClure, McCoy, Miller, Mills, Morrison, Newbold, Peet, Perkins, Pratt, Reuther, Rice, Rohlf, Secor, Stedman, Struthers, Tasker, Teale, Tufts, Van Deventer, Van Saun, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood of Clay; Wood, of Story; Wright, of Van Buren and Mr. Speaker—Total, 74.

The nays were:

Messrs. Ainsworth, Ballinger, Blakely, Campbell, Day, Dayton, Duncombe, Hall, Hilton, Hovey, Irish, Merrell, O'Donnell, Paul, Reed, Sandry, Schweer, Skillin, Stewart, Stow, Tuttle, Van Meter—Total, 22.

Absent or not voting:

Messrs. Hanan, Kaier, Rule, and Wright, of Mills—Total, 4.

So the motion prevailed.

Leave was granted to Mr. Campbell to record his vote aye, on the resolution of Mr. Evans in regard to the taxation of railroads.

Mr. Ellsworth offered the following resolution:

*Resolved*, That the rules of the last House be the standing rules of this House, and that the Chief Clerk be instructed to have five hundred copies printed for the use of the members, and have attached to said rules the names, age, weight, occupation, county, post office address, length of time residing in this State, religion, nativity, arm of military service, and boarding place of members of the House; also a diagram of the House of Representatives attached to said rules, and lists of the Standing Committees of the House.

(On motion of Mr. Teale, the resolution was referred to committee on rules.

Mr. Caldwell offered the following resolution:

*Resolved*, That in order to retrench all unnecessary expenditures of the public money, this House will not at this session vote an appropriation for any papers subscribed for by its members.

Mr. Blackman offered the following substitute:

*Resolved*, That the Chief Clerk be, and is hereby authorized to order for each member of this House twenty-five copies, and for the clerks, sergeant-at-arms, door-keeper, and post-master, five copies each of daily papers or their equivalent in weeklies, and that the clerk is hereby ordered to keep on file all orders in accordance with this resolution and that no bills or claims be allowed for newspapers unless strictly in accordance with such orders.

Upon its adoption Mr. Caldwell demanded the ayes and nays which were as follows:

The yeas were—

Messrs. Ainsworth, Beatty of Cedar, Blackman, Bliss, Booth, Butler, Close, Danford, Davisson, Dumont, Freeman, Goodspeed, Hewett, Hovey, Irish, Merrell, O'Donnell, Paul, Peet, Reuther, Rohlf, Skillin, Stewart, Stow, Tuttle and Van Deventer.—Total 26.

The nays were—

Messrs. Appleton, Ballinger, Beatty of Jasper, Beresheim, Bergh, Blake, Blakely, Bonewitz, Cadwell, Caldwell, Campbell, Cardell, Carver, Clark of Benton, Clarke of Iowa, Crawford, Davis, Day, Dayton, Draper, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Gear, Green, Hall, Hanson, Heberling, Hilton, Hopkirk, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, McCoy, Miller, Mills, Morrison,

Newbold, Perkins, Reed, Rice, Sandry, Schweer, Secor, Stedman, Struthers, Tasker, Teale, Tufts, Van Meter, Van Saun, Whitten, Williams, Wilson of Keokuk, Wilson of Washington, Wood of Clay, Wright of Van Buren, and Mr. Speaker.—Total, 68.

Absent and not voting—Messrs. Hanan, Kaier, Pratt, Rule, Wood of Story, and Wright of Mills.

So the substitute was lost.

Mr. Leahy offered the following substitute.

*Resolved*, That the clerk be directed to provide for the use of the members of this House during the present session, such newspapers printed in this State as each member may select, the papers so provided not to exceed in value the sum of forty dollars for each member.

The substitute did not prevail.

The question recurring on the original motion, Mr. Caldwell demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Ainsworth, Beatty of Jasper, Bersheim, Blakely, Bonewitz, Cadwell, Caldwell, Campbell, Carver, Clark of Benton, Crawford, Day, Draper, Duncan, Duncombe, Durham, Ellsworth, Evans, Freeman, Gear, Hanson, Hilton, Hopkirk, Kasson, Keables, Lee, Maxwell, McAllister, McClure, McCoy, Miller, Newbold, Rice, Schweer, Stedman, Tasker, Teale, Tufts, Tuttle, Van Meter, Van Saun, Whitten, Williams, Wilson of Washington, Wright of Van Buren, and Mr. Speaker.—Total 45.

The nays were—

Messrs. Appleton, Beatty of Cedar, Bergh, Blackman, Bliss, Booth, Butler, Cardell, Clarke of Iowa, Close, Danforth, Davis, Davisson, Dayton, Dumont, Ericson, Flenniken, Goodspeed, Green, Hall, Heberling, Hewett, Hovey, Irish, Leahy, Litzenberg, Merrell, Mills, Morrison, O'Donnell, Paul, Peet, Perkins, Pratt, Reed, Renther, Rohlf, Sandry, Secor, Skillin, Stewart, Stow, Struthers, Van Deventer, Wilson of Keokuk, Wood of Clay.—Total 45.

Absent or not voting—

Messrs. Ballinger, Blake, Hanan, Johnson, Kaier, Rule, Wood of Story, Wright of Mills.

So the resolution was lost.

Mr. Reed offered the following resolution:

*Resolved*, That the Chief Clerk be authorized to order for the use of each member — copies of daily newspapers, or their equivalent in weeklies.

Mr. Hall moved to fill the blank with "five."

Mr. Green proposed "fifteen."

Mr. Irish "twenty-five."

Mr. Miller "twenty."

Mr. Goodspeed "ten."

On the question of filling the blank with twenty-five, Mr. Bersheim demanded the yeas and nays, which were as follows:



The yeas were—

Messrs. Ainsworth, Beatty of Cedar, Blackman, Blake, Bliss, Booth, Butler, Davisson, Dayton, Ericson, Flenniken, Heberling, Hewitt, Hovey, Irish, Merrell, Morrison, O'Donnell, Paul, Peet, Pratt, Renter, Rohlf, Skillin, Stow, Struthers, Van Deventer, Williams, Wilson of Keokuk, and Wood of Clay.—Total 31.

The nays were—

Messrs. Appleton, Beatty of Jasper, Beresheim, Bergh, Blakely, Bonewitz, Cadwell, Caldwell, Campbell, Cardell, Carver, Clark of Benton, Clarke of Iowa, Close, Crawford, Davis, Day, Draper, Duncan, Duncombe, Durham, Ellsworth, Evans, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Hilton, Hopkirk, Johnston, Kasson, Keables, Lee, Litzenburg, Maxwell, McAllister, McClure, McCoy, Miller, Mills, Newbold, Perkins, Reed, Rice, Sandry, Schweer, Secor, Stedman, Stewart, Tasker, Teale, Tufts, Tuttle, Van Meter, Van Saun, Whitten, Wilson of Washington, Wright of Van Buren, and Mr. Speaker.—Total 62.

Absent or not voting—

Messrs. Dumont, Hanan, Kaier, Leahy, Rule, Wood of Story, and Wright of Mills.

So the motion did not prevail.

On motion of Mr. Rohlf the House adjourned.

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#### AFTERNOON SESSION.

2 o'clock, p. m.

House called to order by the Speaker.

The question being on filling the blank with twenty, the motion to so fill was lost.

By a vote of the House, Mr. Johnson was permitted to have his vote recorded aye on Mr. Caldwell's resolution.

The Speaker holding that the result of the former vote on the said resolution was not effected by the recording of said vote.

Mr. Leahy moved to reconsider the vote by which said resolution was adopted, which motion prevailed.

Mr. Hall moved to amend by inserting "no more than five daily papers or their equivalent in weeklies."

The amendment did not prevail.

The question recurring on the adoption of the resolution, Mr. Irish and Mr. Kasson demanded the ayes and nays, which were as follows:

The yeas were—

Messrs. Ainsworth, Ballinger, Beatty of Jasper, Beresheim,

Blake, Blakely, Bonewitz, Cadwell, Caldwell, Campbell, Cardell, Carver, Clark of Benton, Crawford, Day, Draper, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Freeman, Gea, Hanson, Hilton, Hopkirk, Hovey, Johnson, Kasson, Keables, Lee, Maxwell, McAllister, McCoy, Mills, Newbold, Rice, Skillin, Stedman, Tasker, Teal, Tufts, Tuttle, Van Meter, Van Saun, Whitten, Williams, Wilson of Washington, Wright of Van Buren, and Mr. Speaker—Total, 51.

The nays were—

Messrs. Appleton, Beatty of Cedar, Bergh, Blackman, Bliss, Booth, Butler, Clarke of Iowa, Close, Danforth, Davis, Davisson, Dayton, Dumont, Flenniken, Goodspeed, Green, Hall, Heberling, Hewett, Irish, Kaier, Leahy, Litzenberg, McClure, Merrell, Miller, Morrison, O'Donnell, Paul, Peet, Perkins, Pratt, Reed, Reuther, Rohlf, Sandry, Schweer, Secor, Stewart, Stow, Struthers, Van Deventer, Wilson of Keokuk, Wood of Clay, Wright of Mills—Total, 45.

Absent—

Messrs. Hanan, Kaier, Rule, and Wood of Story.

So the resolution was adopted.

Mr. Irish offered the following resolution:

*Resolved*, That the members of this House will not draw the stamps allowed them by the statute.

Mr. Kasson raised the point of order, and the Speaker ruled the resolution out of order.

Mr. Irish offered the following resolution:

*Resolved*, That there be added to the standing committees of this House a committee of five on Normal Schools.

Which on motion of Mr. Evans was referred to Committee on Rules.

Mr. Rohlf offered the following resolution:

*Resolved*, That for the use of the House the following numbers of copies of the Governor's biennial message be printed: . . . . thousand in English, . . . . thousand in German, . . . . thousand in Norwegian, . . . . thousand in Swedish, . . . . thousand in Holland, . . . . thousand in Bohemian; and that the committee on Ways and Means be instructed to report in the general appropriation bill a sum not to exceed . . . . . dollars, to pay for translations, and that the committee on Printing be instructed to make the necessary arrangement for the translation of the inaugural address and the Governor's biennial message into the different languages; *Provided*, That the cost of the translation of the biennial message shall not exceed two hundred and fifty dollars for both the Senate and House.

Mr. Rohlf moved to fill the blanks as follows:

English, six thousand; German, three thousand; Norwegian, two thousand; Swedish, two thousand; Holland, two thousand; Bohemian, two thousand.

Mr. Teale moved to amend by filling the blank with ten thousand in English.

The motion did not prevail.

The motion to fill the blank with six thousand prevailed.

Mr. Campbell moved to lay the resolution on the table.

The motion did not prevail.

Mr. Hilton moved to amend by striking out three thousand in German, and inserting one thousand.

The motion did not prevail.

The motion to fill with three thousand, was then adopted.

Mr. Bergh moved that the blank be filled with two thousand, in Norwegian.

The motion prevailed.

Mr. Ericson moved to fill the blank with two thousand in Swedish.

The motion prevailed.

Mr. Van Meter moved to fill the remaining two blanks each with two thousand.

The motion prevailed.

The resolution as amended was then adopted.

Mr. Leahy offered the following resolution :

*Resolved*, That the smoking of tobacco on the floor of this House and in the gallery, be prohibited, both during the sittings of the House and the intervening time of adjournment, and the sergeant-at-arms is hereby directed to carry this resolution into effect.

Mr. Irish moved to amend by including "chewing."

The motion prevailed.

Mr. Evans moved to lay the motion on the table.

The motion did not prevail.

Mr. Evans moved to strike out all after the word "adjournment."

The motion did not prevail.

The resolution was adopted.

Mr. Morrison offered the following resolution.

*Resolved*, That this House accepts the proposition of the State printer to furnish 50 copies daily of a verbatim report of the proceedings of this House at a cost not to exceed \$7,000.

Mr. Teale moved to lay the resolution on the table.

The motion prevailed.

Mr. Peet offered the following resolution :

*Resolved*, That the Committee on County and Township Organizations be instructed to report a bill to divide the several counties of the State into districts, corresponding to the number of county supervisors in each county, and authorizing the election of one supervisor in and for each of said districts.

Mr. Irish moved to amend by requesting the committee to inquire into the expediency of presenting such a bill.

Mr. Goodspeed moved to lay the resolution on the table.

The motion prevailed.

Mr. Pratt offered the following resolution, which was adopted:

CONCURRENT RESOLUTION.

*Be it resolved by the House of Representatives, the Senate concurring, That Al. Swalm be Postmaster, and John N. Edwards be Assistant Postmaster of the Fourteenth General Assembly of the State of Iowa.*

Mr. Stow offered the following memorial, which was referred to the Committee on Federal Relations.

MEMORIAL.

*To the Senate and House of Representatives of the United States in Congress assembled:*

The General Assembly of the State of Iowa, respectfully represent that in the opinion of this General Assembly, the act of Congress entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved, March 2, 1867, has become an engine of fraud in the hands of unprincipled debtors, operating to delay, hinder, and defeat the collection of debts against them, without any corresponding benefit to the creditor, while against the unfortunate debtor, the time, delay, and expense attending its enforcement exhausts his estate to the detriment of both debtor and creditor.

We are further of the opinion that the repeal of said act of Congress will insure moral precaution in the contracting of debts, encourage diligence in their collection, and inure to the mutual benefit of the creditor, the debtor, and the commercial world. Therefore,

*Be it resolved by the General Assembly of the State of Iowa That Congress be respectfully petitioned to repeal said act, and that our Senators be instructed and our Representatives in Congress be requested to use their influence for the early repeal of said act.*

2. That copies of these resolutions and memorial be furnished to each of our Senators and Representatives in Congress by the Secretary of State.

Mr. Irish introduced the following resolution, and moved its reference to the Committee on Federal Relations:

*Resolved by the House of Representatives, the Senate concurring, That the Senate of the United States be hereby memorialized to investigate the charges made against James Harlan, Senator of the United States from the State of Iowa, relative to frauds in connection with the administration of the Indian Bureau of the Interior*

Department, and if found guilty thereof, to impeach and expel the said Harlan.

Mr. Kasson moved to lay the resolution on the table.

The motion prevailed.

#### MESSAGES ON THE SPEAKER'S TABLE.

The concurrent resolution of the Senate in relation to the reference of that part of the Governor's inaugural address, which pertains to the Des Moines River Lands, to the Senators and Representatives from the counties of Polk, Boone, Webster, and Hamilton, was taken up and concurred in.

Also, the resolution in regard to excluding certain documents from the journals of the two Houses, and requiring the same to be bound with legislative documents, was taken up and concurred in.

The preamble and resolution in regard to mining for coal under Capitol Hill, was taken up, and on motion of Mr. Hall, was referred to Committee on Judiciary.

Mr. Kasson offered the following resolution, which was adopted :

*Resolved by the House of Representatives, the Senate concurring,*  
That the two Houses will assemble in joint convention in this hall at twelve o'clock, meridian, to-morrow, January 17th, for the purpose of declaring the result of the election of Senator.

On motion of Mr. Paul, the House then adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, )  
DES MOINES, IOWA, January 17 h, 1872. }

House convened pursuant to adjournment.

The Speaker in the Chair.

Prayer by Rev. Mr. Gill.

Journal of yesterday read and approved.

Pending the reading of the Journal, Mr. Ainsworth moved to dispense with the further reading of the same.

The motion did not prevail.

#### MESSAGES FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER.—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked:

Senate file No. 12.

A bill for an act to legalize the official acts of H. B. Hendershot, a notary public.

Also, concurrent resolution in regard to printing blank reports for the use of the committees of the two Houses.

Also, concurrent resolution in regard to appointing committees to visit the various State institutions.

All the resolutions are herewith transmitted.

I am further directed to inform your honorable body that Senate resolution in regard to post-master, assistant post-master, and mail carrier, was reported to the House on the 10th inst. and has never been reported back to the Senate, and I herewith transmit a copy of said resolution as amended by report of committee of conference on mail carrier.

I am also directed to inform your honorable body that the Senate has passed the following bill:

House File, No. 2, a bill for an act fixing the time of holding the district courts in the 11th judicial district of Iowa, which passed the Senate without amendment.

J. A. T. HULL, *Secretary*.

#### STANDING COMMITTEES.

The Speaker announced the following Standing Committees:

#### STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES.

*Judiciary*.—Messrs. Pratt, Green, Williams, Clark of Benton, Heberling, Wood of Clay, Rice, Leahy, Ainsworth, Duncombe, Merrell, Hall, O'Donnell.

*Ways and Means*.—Messrs. Kasson, Caldwell, Close, Beatty of Cedar, Evans, Steadman, McAllister, Campbell, Van Meter.

*Schools*.—Messrs. Newbold, Bonewitz, Wood of Story, Bergh, Cardell, Freeman, Van Saun, Beatty of Jasper, Bliss, Blake, Ellsworth, Irish.

*Agriculture*.—Messrs. Close, Dumont, Durham, Mills, Bonewitz, Clark of Iowa, Caldwell, Duncan, Carver, Hanson, Evans.

*Public Buildings*.—Butler, Draper, Heberling, Hewitt, Campbell, Keables, Van Meter, Rohlf, Wood of Story, Hovey.

*Federal Relations*.—Messrs. Keables, Kasson, Booth, Teale, Ericson, Mills, Van Meter, Whitten, Ballinger.

*Constitutional Amendments*.—Messrs. Green, Booth, Williams, Pratt, Hanan Davis, Ballinger.

*State University*.—Messrs. Williams, Van Deventer, Green, Kasson, Mills, Pratt, Irish.

*Claims*.—Messrs. Tufts, Morrison, Hopkirk, Cardell, Hanson, Hovey, Butler, Blackman, Whitten.

*Railroads*.—Messrs. Caldwell, Morrison, Beresheim, Keables,



Tufts, Hopkirk, Rohlf, Teale, Hewitt, Wilson of Washington, McClure, Maxwell, Tasker, Gear, Van Deventer, Davisson, Wright of Mills, Flennikin, O'Donnell, Duncombe.

*Commerce.*—Messrs Beatty of Cedar, McCoy, Cadwell, Ericson, Hovey, Ballinger, Blakely, Stow.

*Military Affairs.*—Messrs. Freeman, Maxwell, Davis, Secor Tuttle, Teale.

*Enrolled Bills.*—Messrs. Van Deventer, Bergh, Beresheim.

*Engrossed Bills.*—Messrs. Peet, Lee, Johnson.

*Expenditures.*—Messrs. Evans, Van Meter, Danforth, Tufts, Johnson, Duncan, Wood of Story, Hanson, O'Donnell, Hall.

*Library.*—Messrs. Bergh, Rohlf, Whitten, Leahy, Ballinger, Hilton.

*Compensation of Public Officers.*—Messrs. Rohlf, Bonewitz, Beatty of Cedar, Hopkirk, Johnson, Draper, Tuttle, Appleton, Davisson.

*Banks and Banking.*—Messrs. Van Saun, Van Deventer, Goodspeed, Hilton.

*Domestic Manufactures.*—Messrs. Rule, Wilson of Keokuk, Van Saun, Blake, Crawford, Hanan.

*Public Lands.*—Messrs. Blackman, Rohlf, Wilson of Keokuk, Dayton, Danforth, Blake.

*Internal Improvements.*—Messrs. Wood of Story, Wilson of Keokuk, Rule, Hopkirk, Wilson of Washington, Struthers.

*Agricultural College.*—Messrs. Hewitt, Struthers, Cardell, Mills, Wood of Story, Blakely.

*Asylum for the Insane.*—Messrs. Hovey, Wood of Olay, Newbold, Wright of Van Buren, McAllister, Keables, Davisson, Stewart.

*Asylum for Deaf and Dumb.*—Messrs. Heberling, Beresheim, Perkins, Tasker, Teale, Sandry.

*Penitentiary.*—Messrs. Morrison, Williams, Bonewitz, Lee, Carver, Wright of Van Buren, Stow, Ballinger.

*Institution for the Education of the Blind.*—Messrs. Steadman, Hopkirk, Morrison, Clark of Iowa, Skillen.

*Soldiers' Orphans' Home.*—Messrs. Wright of Mills, Miller, Van Saun, Clark of Iowa, Durham, Hilton.

*Horticulture.*—Messrs. Goodspeed, Cadwell, Secor, Flennikin, Litzenburg, Dayton.

*Reform School.*—Messrs. Carver, Clark of Iowa, Litzenburg, Secor, Sandry.

*Rules.*—Messrs. Kasson, Morrison, Ainsworth.

*New Counties.*—Messrs. Beresheim, Pratt, Booth, Maxwell, Wright of Mills.

*Police Regulations.*—Messrs. Butler, Crawford, Davis, Dayton, Paul.

*County and Township Organizations.*—Messrs. Bonewitz, Freeman, Peet, Beatty of Jasper, Miller, Sandry, Reed.

*Incorporations.*—Messrs. McAllister, Reuther, Rice, Struthers, Stewart, Appleton.

*Elections.*—Messrs. Miller, Rice, McCoy, Beatty of Jasper.

*Printing.*—Messrs. Irish, Morrison, Dumont.

*Suppression of Intemperance.*—Messrs. Teale, Miller, Secor, Lee, Johnson, Wood of Clay, Goodspeed, Beatty of Cedar, Hannan, Duncan.

*Roads and Highways.*—Messrs. Hopkirk, Mills, Perkins, Beatty of Cedar, Day, Skillin.

*Charitable Institutions.*—Messrs. Durham, Blackman, Van Meter, Wilson of Keokuk, Reuther, Wilson of Washington.

*Judicial Districts.*—Messrs. Clark of Benton, Perkins, Reed, Sandry, Wright of Mills.

*Congressional Districts.*—Messrs. Bereshiem, Fifth District; Morrison, Fourth District; Pratt, Third District; Bliss, Sixth District; Kasson, Fifth District; Appleton, Sixth District; Ericson, Sixth District; Tasker, Second District; Gear, First District; Butler, Fifth District; Evans, Second District; Campbell, First District; Maxwell, Fifth District; Steadman, Fourth District; Secor, Fifth District.

*Senatorial and Representative Districts.*—Messrs. Dumont, Rohlf, Blackman, Leahy, Davisson, Wood of Olay, Bliss, Clark of Benton, Merrell, Schweer.

*Des Moines River Improvement.*—Messrs. Wright of Van Buren, Carver, Davis, Ballinger.

*Medical Institutions.*—Ellsworth, Davisson, Blackman, Whitten, McAllister.

#### PETITIONS.

Mr. Kasson presented a memorial of Adjutant-General Baker relating to sick and disabled soldiers, which was referred to committee on Military Affairs.

Mr. Ballinger presented a petition in regard to Homœopathy in the State University, which was referred to committee on Medical Institutions.

Mr. Hanson presented a petition from the members of the Board of Supervisors of Henry county, in reference to county indebtedness, which was referred to committee on Ways and Means.

#### REPORTS OF COMMITTEES.

Mr. Leahy submitted a report in regard to the heating of the Hall of Representatives, which was passed on file.

#### INTRODUCTION OF BILLS.

Mr. O'Donnell introduced House File No. 19, A bill for an act authorizing the appointment of deputy county recorder.

Read a first and second time and referred to committee on Judiciary.

Mr. Irish introduced House File No. 20, A bill for an act making it unlawful for any member of the General Assembly to receive mileage, postage stamps, stationery, or other perquisites to be paid for out of the State Treasury.

Read a first and second time and referred to committee on Compensation of Public Officers.

Mr. Wright, of Mills, introduced House File No. 21, A bill for an act making additional appropriations for the Iowa Soldiers' Orphans' Homes.

Read a first and second time and referred to committee on Orphans' Homes.

Mr. Gear introduced House File No. 22, A bill for an act amending chapter 65 of the acts of the 13th General Assembly, entitled streets and alleys.

Read a first and second time and referred to committee on Incorporations.

Mr. Wilson, of Washington, introduced H. F. No. 23, A bill for an act to legalize the sale by the auditor of Washington county, and authorizing the issuing of a patent to the purchaser, or his heirs or assignees, for the ne qr of nw qr of Sec. 16, Tp. 74, N. of R. 7 W., Washington county, Iowa.

Read a first and second time and referred to committee on Schools.

Mr. Ballinger introduced House File No. 24, A bill to create public libraries in cities containing a population of 5,000 inhabitants.

Read a first and second time, and on motion of Mr. Ballinger, was referred to a special committee of seven to be appointed by the Chair.

Mr. Morrison introduced H. F. No. 25, a bill for an act to abolish the office of county superintendent.

Read a first and second time, and

Referred to Committee on Schools.

Mr. Duncombe introduced H. F. No. 26, a bill for an act to amend chapter 86. of the acts of the Tenth General Assembly of Iowa, approved, March 28th, 1864, and legalizing contracts made within the limits of this act.

Read a first and second time, and

Referred to Committee on Railroads.

Mr. Duncombe introduced H. F. No. 27, a bill for an act limiting the time in which the legality of the organization of cities incorporated towns, or other civil or municipal corporations, can be questioned by suit or otherwise.

Read a first and second time, and

Referred to Committee on Judiciary.

Mr. Heberling introduced H. F. No. 28, a bill for an act to amend section 3141 of the Revision of 1860.

Read a first and second time, and

Referred to Committee on Judiciary.

Mr. Van Deventer introduced H. F. No. 29, a bill for an act to legalize certain acts of the city of Clinton, Iowa.

Read a first and second time, and

Referred to Committee on Judiciary.

#### RESOLUTIONS.

Mr. Leahy offered the following resolution, which was adopted :

*Resolved*, That Secretary Ed Wright be directed to carry into execution the recommendations made by the committee appointed to provide some better mode of warming and ventilating this hall, whose report is now on the Clerk's desk ; and that he furnish a bill of the expense necessary to be incurred in the prosecution of this work to the Committee on Ways and Means.

Mr. Danforth offered the following resolution :

*Resolved*, By the House of Representatives the Senate concurring, That there be appointed a committee of five, two from the Senate and three from the House, whose duty it shall be to consider and recommend the amount of *per diem* which shall be allowed the officers and employees of the Fourteenth General Assembly, and to report the same as soon as practicable.

Mr. Evans moved to strike out that portion which relates to the Senate.

Mr. Morrison moved to refer to Committee on "Compensation of Public Officers."

The motion prevailed.

Mr. Goodspeed offered the following resolution which was adopted :

*Resolved*, That the Judicial Committee be, and the same are hereby instructed to inquire into the expediency and propriety of altering or amending the statute, to the end, that assessors will be compelled to assess all species of taxable property at their true cash value as the law now directs and report by bill or otherwise.

Mr. Keables offered the following resolution which was adopted :

*Resolved*, That the Committee on Schools be instructed to inquire into the expediency of reporting an act that will prevent the present practice of the too frequent changes in the text-books used in our common schools.

Mr. Stow offered the following resolution, which on motion of Mr. Duncombe, was referred to Committee on Printing :

*Resolved*, That with a view to retrenchment and economy in the administration of public affairs, the Committee on Compensation

of Public Officers, be instructed to report a bill abolishing the offices of State Printer and State Binder, and providing for the letting of said work to the lowest bidder.

And that the election of said officers be postponed, to await the action of said committee.

Mr. Davis offered the following resolution, which not was adopted:

*Resolved*, By the House of Representatives, the Senate concurring, that the Secretary of State be instructed to procure at the lowest possible price, for the use of this General Assembly, one thousand lithograph maps of Iowa, showing the outlines of each county with the population according to United States census of 1870, provided the same do not cost to exceed five dollars per hundred.

Mr. O'Donnell offered the following resolution, which was adopted.

*Resolved*, That at 11 o'clock a. m. to-morrow the House go into Committee of the Whole, to consider the Biennial Message of his Excellency, Governor Merrill.

Mr. Perkins offered the following resolution:

*Resolved by the General Assembly of Iowa*, That our Senators in Congress be instructed, and our Representatives be requested to use their influence to procure the passage of a law granting to all non-commissioned officers and privates who were promoted to commissioned officers after serving as such non-commissioned officers and privates for the period of one year or more, and who have not received the same, one hundred dollars bounty, being the same amount of bounty paid to men enlisting for one year.

Mr. Perkins moved that the resolution be referred to Committee on Military Affairs.

The motion prevailed.

Mr. Wright, of Mills, offered a resolution, which, on his motion was referred to the Committee on Railroads.

*Resolved*, By the House of Representatives, the Senate concurring, That our Senators and Representatives in Congress, be instructed to make no more donations of land, for the building of railroads, unless the same be sold to actual settlers at a price not to exceed two dollars and fifty cents per acre.

*Resolved*, That the Secretary of State be requested to furnish a copy of this resolution to our Senators and Representatives in Congress.

#### MESSAGES ON THE SPEAKER'S TABLE.

The concurrent resolution in relation to the appointment of Committees to visit State institutions was taken up and concurred in.

The concurrent resolution in reference to the appointment of postmaster and assistant postmaster, was taken up and concurred in.

The concurrent resolution in reference to joint convention to declare the vote of the two Houses, was taken up and not concurred in.

The concurrent resolution for a committee to devise the best means by which the Assembly may consider the report of the Commissioners to Revise the Statutes, was taken up and concurred in.

Concurrent resolution in reference to printing blanks for committees was taken up and concurred in.

S. F. No. 12, was taken up and read a first and second time, and referred to Committee on Judiciary, with instructions to report an omnibus bill.

Mr. Campbell moved to reconsider the vote on the resolution to prohibit smoking and chewing tobacco in the hall.

The motion did not prevail.

On motion of Mr. Davis leave of absence was granted the Sergeant-at-Arms for the day.

Leave of absence was granted to Mr. Secor for the afternoon.

#### MESSAGE FROM THE SENATE-

The following message was received from the Senate :

MR. SPEAKER : I am directed to inform your Honorable body that the Senate has concurred in House Resolution for a joint session at 12 o'clock, m., for the purpose of comparing the journals of the two Houses on the vote for the election of U. S. Senator.

J. A. T. HULL, *Secretary*.

By leave, Mr. Irish introduced H. F. No. 30, a bill for an act prescribing regulations to be observed in making application to the Governor for pardons or reprieves.

Read a first and second time, and

Referred to Committee on Judiciary.

Mr. Evans moved that, until further order, when the House adjourn it adjourn to ten o'clock in the morning.

The motion prevailed.

On motion of Mr. Green, the House took a recess until ten minutes before twelve o'clock.

11.50 A. M.

House called to order by the Speaker.

On motion of Mr. Irish, the two rows of seats next to the aisle, were vacated for the use of the Senate.

On motion of Mr. Teale, a committee of two was appointed to wait on the Senate and inform them that the House was ready to meet them in Joint Convention.

The Speaker announced as the Committee Messrs. Teale and Campbell.



The committee appointed to wait upon the Senate, reported that they had performed their duty, and were discharged.

The Door Keeper announced the Honorable Senate, who entered the Hall and took the seats assigned them.

#### JOINT CONVENTION.

The President called the two Houses to order.

That portion of the House and Senate Journals in relation to the election of U. S. Senator, on Tuesday, January 16th, 1872, were read and compared, whereupon it appeared that William B. Allison had received a majority of all the votes cast in both Houses for U. S. Senator for the term of six years, commencing March 4th, 1873.

Mr. Kasson offered the following resolution, which was adopted:

*Resolved*, By the General Assembly of the State of Iowa, in joint session assembled, pursuant to the act of Congress regulating the terms and manner of holding elections for Senators in Congress, approved, July 25, 1866, that William B. Allison be declared the Senator elect from this State in the Congress of the United States for the term of six years from the fourth of March, 1873.

Mr. Durham moved that a copy of the proceedings of the Joint Convention be forwarded to the Governor.

The motion prevailed.

Mr. Peet moved that the Joint Convention do now dissolve.

The motion prevailed and the Convention dissolved.

Mr. Rholfs moved that the House adjourn.

The motion prevailed and the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
Des Moines, Iowa, January 18th, 1872. }

House convened pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. P. P. Ingalls.

Journal of yesterday read and approved.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill and joint resolution, in which the concurrence of the House is asked:

S. F. No. 2,

A bill for an act to change the times of holding the district courts in the eighth judicial district.

Memorial and joint resolution 'relative to a bridge across the Mississippi River at Clinton, Iowa.

Also the following resolutions in which the concurrence of the House is respectfully asked :

A resolution in regard to a joint convention on Thursday, January 18th, 1872, at 11 o'clock a. m., for the purpose of electing a State Printer, State Binder, and Warden of the State Penitentiary.

Also, a resolution instructing the Committee on Printing of the two houses to inquire 'into the expense of State Printing and binding.

Also, resolution relative to distribution of Hall's and White's Geological reports.

The resolutions are herewith transmitted.

J. A. T. HULL, *Secretary*.

The chair announced as the special committee to consider and report on a bill for an act to create public libraries, Messrs. Ballinger, Kasson, Gear, O'Donnell, Greene, Beresheim, and Keables.

#### PETITIONS.

Mr. Irish presented a petition from the citizens of Johnson county on the subject of dentistry.

Referred to Committee on Medical Institutions.

Mr. Tufts presented a petition of E. S. Bell and others for regulating tariffs on railroads.

Referred to Committee on Railroads.

Mr. Duncan presented a petition from the citizens of Louisa county, praying for the abolishing of the circuit courts.

Referred to Committee on Judiciary.

#### REPORTS OF COMMITTEES.

Mr. Kasson, from the Special Committee on Rules, submitted the following report :

The Special Committee to whom was referred the resolution touching the adoption and printing of the Rules of this House, with various additions of information for the use of members, beg leave to report: That they have duly considered the same, and make to the House the following recommendations :

I. That Rule 10, be so amended in respect to the order of business, that the first order shall be business pending "at the last previous adjournment." Adopted.

II. That the 10th order of said Rule, be stricken out and the following be inserted: "11. On and after the first day of March, of each regular session, bills and joint resolutions which have been read the second time and engrossed, shall be taken up in their proper order, at three o'clock in the afternoon of each session, and put upon their passage." Adopted.

III. The last two lines of Rule 44, after the word "day," be stricken out. Adopted.

IV. That Rule 32 be amended by striking out of the 2d and 3d lines the words "in the majority," and inserting instead thereof the words, "voting on the prevailing side." Adopted.

V. That the first Joint Rules of the two Houses be amended by inserting after the word "Conference," in the 7th line, the words. "In case of agreement the report shall be first made, with the papers referred accompanying it, to the disagreeing House, and there acted upon; and such action shall be immediately reported by the Clerk to the other House, the papers referred accompanying the message. In case of disagreement the papers shall remain with the House which referred them. The agreeing report of a Conference Committee shall be made and signed in duplicate by the members of the committee, or by a majority of those of each House, one of the duplicates being retained by the committee of each House."

VI. That the following additional House Rule be adopted: 62. Each standing Committee shall have authority to order the printing of any Bill of public importance referred to it, where the printing shall appear necessary to its proper consideration, and to order the printing of any such bill with proposed amendments, when the same is directed to be reported to the House with a recommendation that it pass.

And to carry these recommendations into effect, they recommend the adoption of the two accompanying resolutions, as a substitute for the resolution referred to them.

JOHN A. KASSON, *for the Committee.*

*Resolved,* That the chief clerk be directed to have five hundred copies printed of the amended Rules of this House for the use of its members, together with the Joint Rules as amended, and the Rules of the Senate; and that he cause to be attached to said Rules a list of the names of the members of this General Assembly, with their post-office address, and county of their residence; and, if informed thereof, their place of nativity, their age, occupation, length of time of residence in this State, military service, (if any), and their local address at the capital: together with the usual diagram of the two Houses, and lists of the standing committees of the same. And that he cause to be appended thereto an outline county map of this State, showing the population by counties,

according to the last census, if the same can be done at an additional cost for the map not exceeding five dollars per hundred copies.

*Resolved by the House of Representatives, the Senate concurring,* That the first joint rule of the two Houses be amended by inserting after the word conference in the seventh line of said rule, the following:

"In case of agreement, the report shall first be made, with the papers referred accompanying it, to the disagreeing House, and there acted upon; and such action shall be immediately reported by the clerk to the other House, the papers referred accompanying the message. In case of disagreement the papers shall remain with the House which referred them. The agreeing report of a conference committee shall be made and signed in duplicate by the members of the committee, or by a majority of those of each House, one of the duplicates being retained by the committee of each House."

On motion of Mr. Kasson, the report was taken up, and on the adoption of the amendment to rule ten, recommended by the committee, the motion prevailed.

The amendment to Rule 44, as recommended by the Committee, was also adopted.

Also, the amendment to Rule thirty-two.

Also, the amendment to the first joint rule of the two Houses.

Also, an additional rule, number sixty-two, was adopted.

On motion of Mr. Kasson, the concurrent resolution was taken up and considered.

Mr. Williams moved to strike out five thousand, and insert one thousand.

The amendment was adopted.

Mr. Blackman moved to amend by authorizing the chief clerk to have the rules bound in muslin.

The motion did not prevail.

Mr. Lee moved to strike out the portion which relates to county maps.

The motion did not prevail.

The resolution was then adopted.

The concurrent resolution submitted by the committee was also adopted.

On motion of Mr. Durham, the House took up the concurrent resolution in reference to the election of State Printer and State Binder.

The question being upon its adoption, Mr. Irish demanded the yeas and nays, which were as follows:

The yeas were:

Messrs. Appleton, Blackman, Blake, Bliss, Booth, Cardell, Close, Davis, Draper, Freeman, Green, Heberling, Hewett, Keables, Leahy, Lee, Morrison, Perkins, Pratt, Rohlf, Secor, Stedman,

Struthers, Tuttle, Van Deventer, Williams, Wood of Clay, and Mr. Speaker—Total, 28.

The nays were:

Messrs. Ainsworth, Ballinger, Beatty of Cedar, Beatty of Jasper, Bergh, Blakely, Bonewitz, Butler, Cadwell, Caldwell, Campbell, Carver, Clark of Benton, Clark of Iowa, Crawford, Danforth, Davisson, Day, Dayton, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Gear, Goodspeed, Hall, Hanson, Hilton, Hopkirk, Hovey, Irish, Johnston, Litzenberg, McAllister, McClure, McCoy, Merrell, Miller, Mills, Newbold, O'Donnell, Peet, Reed, Reuther, Rice, Sandry, Schweer, Skillin, Stewart, Stow, Tasker, Teale, Tufts, Van Meter, Van Saun, Whitten, Wilson of Keokuk, Wilson of Washington, Wood of Story, Wright of Mills, and Wright of Van Buren—Total, 65.

Absent or not voting:

Messrs. Beresheim, Hanan, Kaier, Kasson, Maxwell, Paul, and Rule—Total, 7.

So the House refused to concur.

#### INTRODUCTION OF BILLS.

Mr. Heberling introduced H. F. No. 31:

An act to prevent the drinking of intoxicating liquors by jurors.

Read a first and second time and referred to Committee on Judiciary.

Mr. Green introduced H. F. No. 32:

A bill for an act to amend section 3670, chapter 146, of the Revision of 1860.

Read a first and second time and referred to Committee on Judiciary.

Mr. Hewett introduced H. F. No. 33:

A bill for an act to authorize county auditors to take acknowledgments of deeds and other instruments of writing.

Read a first and second time and referred to Committee on County and Township Organizations.

Mr. Butler introduced H. F. No. 34:

A bill to reduce the weekly allowance of postage stamps and stationery of the members of the General Assembly.

Read a first and second time and referred to Committee on Compensation of Public officers.

Mr. Rice introduced H. F. No. 35:

A bill to amend chapter 116, of the Revision of 1860, entitled, "Limitation of actions."

Read a first and second time and referred to Committee on Judiciary.

Mr. Cadwell introduced H. F. No. 36:

An act to legalize the acts of the independent school district of Missouri Valley, Iowa.

Read a first and second time, and referred to Committee on Judiciary.

Mr. Rice introduced H. F. No. 37 :

A bill to suspend the issuing of writs of execution and other process to enforce the collection of judgments and decrees against the property of decedents.

Read a first and second time, and referred to Committee on Judiciary.

By leave, Mr. Duncombe submitted report and substitute for H. F. No. 1, which was ordered to be printed.

#### RESOLUTIONS.

By leave, Mr. Pratt offered the following resolution, which was adopted :

*Resolved*, That the Speaker be instructed to appoint W. A. Stow, of Fremont county, an additional member of the Committee on the Judiciary.

The designated time having arrived, Mr. O'Donnell moved that the House go into Committee of the Whole on the Governor's message.

The motion prevailed, and the Speaker recalled Mr. O'Donnell to the chair.

After due deliberation, the Committee arose, and the chairman reported back to the House that they had the message of the Governor under consideration, and that the several portions thereof be referred to the appropriate standing committees.

Also,

That the portion of said message which relates to the subject of insurance, be referred to a special committee of five to be appointed by the Speaker.

The report of the committee was adopted.

Mr. Mills offered the following resolution, which was adopted :

*Resolved*, That the Secretary of State be requested to furnish to each member of the House a copy of the Commissioners' Report on the Revision of the Laws.

Mr. Gear offered the following resolution :

*Resolved*, That the chairmen of the Committee on Judiciary, Schools, Railroads and Ways and Means, are each hereby empowered to employ a clerk for the use of said committees, whose compensation shall not exceed three dollars per day.

Mr. Teale moved to strike out schools.

Mr. Irish moved to amend the amendment by including the Committee of Ways and Means.

Mr. Evans moved to refer to a special committee composed of the chairmen of the committees named.

The motion prevailed.

Mr. Wilson offered the following resolution :



*Resolved by the House,* That the Committee on the Suppression of Intemperance be instructed to inquire into the expediency of amending the laws relating to the sale of intoxicating liquors, so as to make the seller liable in damages for any loss or injury that may arise from his traffic, and that said committee report by bill or otherwise.

Referred to Committee on the Suppression of Intemperance.

Mr. Davis introduced a joint resolution asking Congress to pass a law granting 160 acres of land to honorably discharged soldiers and sailors of the war of the Rebellion, which was referred to Committee on Military Affairs.

By leave of the House, Mr. Irish offered a memorial from the Iowa Press Association in reference to the bill to define the meaning of the term "newspaper," as used in chapter 118, acts of the Tenth General Assembly.

Referred to Committee on Printing.

#### MESSAGES ON THE SPEAKER'S TABLE.

The concurrent resolution in relation to supplying the members with the Geological Reports of Messrs. White and Hall, was taken up.

Mr. Ellsworth moved to amend by supplying those members who have not heretofore received the reports.

Mr. Davisson moved to amend the amendment by inserting *three* instead of *four*.

The motion did not prevail.

By leave, Mr. Ellsworth withdrew his motion.

The resolution was concurred in by the House.

On motion of Mr. Leahy, the House adjourned.

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#### HALL OF THE HOUSE OF REPRESENTATIVES, DES MOINES, IOWA, January 19, 1872,

House met pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. Mr. Kooker.

The journal of yesterday read and approved.

The Speaker announced the committee on the part of the House, under joint resolution of the two Houses, to report the most practicable, judicious, and expeditious manner of considering the report, and the statutes as revised and re-written by the commissioners created by chapter 75 of the laws of the 13th General Assembly, as follows: Messrs. Gear, Kasson, Pratt, Close, and Campbell.

Mr. Van Deventer from the Committee on Enrolled Bills, presented the following report:

MR. SPEAKER:—The Committee on Enrolled Bills ask leave to report that they have examined the following bill, and find the same correctly enrolled:

H. F. No. 2, A bill for an act fixing the time of holding the District Courts in the 11th Judicial District of Iowa.

J. VAN DEVENTER, *Chairman.*

#### PETITIONS.

Mr. Tufts presented a petition from citizens of Cedar county, on the question of railroad tariffs.

Referred to Committee on Railroads.

Mr. Mills presented two petitions from citizens of Cass county, with reference to the satisfaction of mortgages.

Referred to Committee on Judiciary.

#### INTRODUCTION OF BILLS.

Mr. Green introduced H. F. No. 38:

A bill for an act to amend chapter 113 of the Revision of 1860, in regard to the game law.

Read a first and second time and referred to Committee on Agriculture.

Mr. Perkins introduced H. F. No. 39:

A bill for an act to provide for the preservation of fish in lakes and ponds in the State of Iowa.

Read a first and second time and referred to Committee on Agriculture.

Mr. Clark, of Benton, introduced H. F. No. 40:

A bill for an act to authorize incorporated towns to appropriate a portion of the road tax to aid in the construction and repairing of roads leading thereto.

Read a first and second time and referred to committee on Roads and Highways.

Mr. Williams introduced House File No. 41, a bill for an act to enable associations to raise funds to be loaned among their members for building homesteads and for other purposes, to be become a body corporate.

Read a first and second time, and referred to the Judiciary Committee, and ordered to be printed.

Mr. Van Deventer introduced House File No. 42, a bill for an act amending section 781, of the Revision of 1860, in relation to tax-sale deeds.

Read a first and second time.

Mr. Van Deventer moved to refer to Committee on Judiciary.

Mr. Reed moved to amend by referring to Committee on Ways and Means.

The motion did not prevail.

The motion to refer to the Judiciary Committee prevailed.

Mr. Blakely introduced House File No. 43, a bill for an act to change the time of electing superintendents of common schools.

Read a first and second time, and referred to Committee on Schools.

#### RESOLUTIONS.

Mr. Green offered the following resolution, which was adopted:

*Resolved*, That the clerk be instructed to keep a record in the journal of the House of members excused by the House; and that they be so recorded in the record of the yeas and nays as excused.

Leave of absence was granted to Mr. Rohlf's for the day.

Leave of absence was also granted to Messrs. Steadman, Blakely, and Williams.

Also, leave of absence to Mr. Skillen till next Wednesday.

Mr. O'Donnell offered the following resolution:

WHEREAS, Intelligence has been received by this House of the death of the Hon. Martin E. Kaier, Representative elect from the Forty-ninth District; therefore

*Resolved by the House of Representatives*, That with deep and unfeigned sorrow we sincerely deplore the sad and chastening dispensation of Providence that has taken from this General Assembly, in the person of our deceased brother, an honest and efficient citizen, an able, earnest, and upright representative.

*Resolved*, That to the widow and family so deeply bereft, we extend our warmest sympathies, and hope they may find the balm of consolation by looking to Him who is, indeed, the God of the widow and the fatherless.

*Resolved*, That these proceedings be ordered spread upon the journal and that the clerk be instructed to forward an engrossed copy of these resolutions to the relict of the deceased.

*Resolved*, That these resolutions be transmitted to the Senate, and as further indicating our esteem for the deceased that this House do now adjourn.

After the reading of which, Mr. O'Donnell spoke as follows:

MR. SPEAKER: Melancholy indeed is the duty devolved upon me to-day, to add a few words to the resolutions already offered; but while the event that occasions these ceremonies is so deeply afflicting, yet, how eminently fitting; how lasting in its impression for good; how clearly and beautifully evidencing an exalted christian civilization, that we, while engaged in the labors of the day, should cease, for a while, and in our expressions of regret for the departed verify the poetic truth that "Man was made to mourn."

There is no higher type of moral sublimity; no more certain

evidence of genuine piety than is exhibited in the person, who, yielding, to reclaim no more forever, the one he has loved can still exclaim, "*Thy will be done.*"

May the agonized widow in looking *up* have poured into her bleeding bosom the spirit of resignation that is given to the chosen of God; and from the fullness of her heart still be able to say, "Inscrutable as is thy way to me, I know, thou doest all things well." The loss of millions may be recovered, the loss of power may be regained, but the loss of a friend is an irreparable, eternal one indeed. Immeasurably is the bereavement augmented when it is for, not only the good citizen, but the sterling heart of gold. The genial and sincere friend, the one possessed of real nobility of soul. The generous and affectionate parent and the enlarged and cultured mind. In describing such a person I have portrayed the prominent attributes characterizing the Hon. Martin E. Kaier.

Born in Germany in 1841, he, while yet a youth drinking from beneath the fountain whose source is free constitutional liberty, his heart yearned to enjoy its blessings, and early embraced the opportunity to claim as *his* home the land where he could be peer of the sovereign, aye, sovereign himself. The spirit to move with the "course of empire" caused him to come west, and locating in Dubuque county, he engaged in mercantile business, where he enjoyed the highest confidence of all who knew him. Honored in the service of the government as a postal officer, and in the service of his county as a member of the Board of Supervisors, while yet quite young, he became generally acquainted, and the better he was known the more highly was he esteemed.

Elected in October last a member of this House, he gave promise of still more efficiently and ably serving his people. But, alas! how true, that while in the prime and vigor of manhood, still, our

"Hearts like muffled drums are beating,  
Funeral marches to the grave."

Four weeks ago, I believe, while driving home a distance of ten miles from the city, he had almost unconsciously, both hands frozen. The excruciating torture he suffered belongs to the sphere of imagination, not description, until on Wednesday last he bade farewell to those who cherished his life as their choicest earthly hope, and with heroic endurance, to excel which would have been impossible, he went, after a stewardship of thirty years to receive, let it be hoped, the celestial welcome, "Well done, good and faithful servant enter thou into the joy of the Lord."

Better men have died, for he had his faults and who could wish he had not, and be as we? Had he none, then indeed dissolution *could not* but translation *must have* taken him from us. I am glad he had faults, but as he overcame them I rejoice. Better men I say

have died—greater men have died; but a soul possessing truer nobility, warmer affections, more exalted honor, more genuine manhood perhaps, *never*. No doubt his great anxiety and mental distress at being away from what he conceived to be the post of duty, did much to superinduce the nervous fever from which he died. There has been taken from us a noble, true and upright man. A call of the House may be had, but the Sergeant-at-Arms can never, never produce the person of Martin E. Kaier.

Mr. Speaker, 'Tis said the gold-finch sings most sweetly when the hot needle is in its eye; that flowers must be crushed to give forth their greatest sweetness. So, the heart must be wrung that in its chastening we may the purer, better be.

Let us then to-day, panoplied with the more Heavenly Spirit induced by the occasion, profit by the lessons of the hour, that when the summons comes *'twill not be dread*, but welcome; sustained in the confidence that we go where life is as pure as a flake of descending snow. Our elysium as beautiful as an angel's dream.

After which Mr. Irish delivered the following address:

MR. IRISH. *Mr. Speaker.*—I second the motion for the adoption of the resolutions at the Clerk's desk.

This day's session is fitly devoted to honoring the memory of one of our number, chosen as we were chosen, to a place on this floor where the roll is called upon laws devised for the advancement and protection of the interests of the commonwealth whose citizens we are.

Two names have been from day to day called without response, two forms have been absent from our gatherings, and two voices have been lost to our councils. And but now we learn that one of these will be called never more at our desk, and that the form and face we had not seen have passed, forever, away.

It is true that other hands than ours have soothed the sick man's restlessness, have trimmed the silent lamp, and ministered to the weakness and wants that cluster round the final scene. It is true that tears, licensed by a dearer agony than we may know have fallen on the dead man's face, and footsteps fonder and sadder than ours have gone tenderly with him on his last earthly journey.

Though distant from the scenes that saluted his vision as it wandered for the last time beyond the silence and shadows of the sick room to hail the sunbeams which are now to the same eye as the memory of a shadow, for hath it not seen face to face the greater glory of God the Father of us all? yet there are considerations involved which may well claim more than a passing thought while we pause by the grave which has opened in our midst and claimed its own.

Martin Kaier was a *young* man. Sprung of a hardy race he has found rest in alien soil long before his prime. Not the courage which brought the immigrant over the terrors of the sea, nor

the strength that made a home, nor the love that gathered around its hearthstone and summoned to its cheer those now stricken to the heart, nor yet the virtues that marked him for the favor of his fellows who honored him with the highest civic trust in making him a maker of the laws, could avert or delay the summons which in an hour we know not, is waiting for us all.

To me the sadness of death is inexpressible when the young die. The aged who reach four score to find their years a burden greater than they can bear, fade from us and our sorrow is almost joy when we *know* that they have slept, with weakness and infirmity upon them, to awaken in the full glory of a strength and perfection beside which the strength of man and woman's beauty as we know them are as nothing.

But youth and strength are the elements of that physical perfection which in the case of our friend whose face has faded from amongst men, was the shrine of those manly virtues of the heart which approach spiritual perfectness, and when these are confined and the clouds cover them it is as the setting of a star that will rise not, the dying of a sunbeam that will trace the morning sky no more, and in the end of such perfection there is a cadence of sadness that will long stir even the lightest heart.

Of his every day walk only the echo has reached me; be it enough to say that a constituency always honoring itself in the choice it makes from year to year of representatives in the law making branch of the State government, chose him with colleagues whom we know are worthy of the place they hold, to share the responsibilities and labor of legislation. A constituency that can never be wrong in the midst of the great memories that cluster around the names of Samuels, Quigly, and Robb, and of those younger recollections which come damp with tears to a stricken people who have followed to an early rest that giant in jurisprudence and gentlest of gentlemen, the lamented Barker.

In his death and the feelings which touch us all with common proof that Humanity can reach a hand over the walls which sect and class and party build about us, there is a profitable lesson of tolerance which we all may learn. For how weak and contemptible appear the issues that divide us and how petty the interests around which we array our forces and do vexing battle when we stand in the sombreness of an event that teaches the instability of States and statutes and all things wrought by human hands!

Thus from the very grave of the good man gone, may spring such thought and fellowship as will temper the scenes we will here share together for a time ere we may press hands and part for the last time, forever!

The resolution was adopted, and on motion of Mr. Evans the House adjourned till next Monday, at ten o'clock, a. m.



HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, January 22, 1872. }

House convened pursuant to adjournment.

The Speaker in the Chair.

Prayer by the Rev. P. B. Morgan.

Journal of last days' proceedings read and approved.

MESSAGES FROM THE SENATE.

The following message was received from the Senate.

MR. SPEAKER.—I am directed to inform your honorable body that the Senate passed the following bills and resolutions in which the concurrence of the House is asked.

Senate file No. 10, a bill for an act to legalize the organization of the Shiloh Presbyterian Church in Benton county, Iowa.

Senate file No. 19, a bill for an act in relation to certain school-taxes in the Independent school-district of Springdale, Cedar county, Iowa.

Concurrent resolution in relation to time of opening and closing the Capitol post-office.

Also, concurrent resolution in relation to both Houses taking a recess from the 16th to the 28th of February and requiring certain committees to perform the duties required of them during that time.

All the resolutions are herewith transmitted.

I am also directed to inform your honorable body, that the Senate has concurred in House amendments to 1st Joint Rule.

J A. T. HULL, *Secretary*.

PETITIONS.

Mr. Tufts presented a petition in relation to certain school taxes, in the Independent School-District of Springdale, in Cedar county, Iowa.

Referred to Committee on Schools.

Mr. Merrell presented a petition from the citizens of Clinton county, on the subject of school taxes.

Referred to Committee on Schools.

Leave of absence was granted to Messrs. Paul, Freeman, McClure, Ellsworth, McAllister, and Campbell.

Mr. Tasker presented a petition from W. L. Thomas, for work done at the Agricultural College Farm.

Referred to Committee on Claims.

Mr. Mills presented a petition from the citizens of Cass county, on the subject of further compensation to soldiers of the late war. Referred to Committee on Military Affairs.

#### REPORT OF COMMITTEES.

Mr. Pratt from Committee on Judiciary submitted the following report:

MR. SPEAKER: Your Committee on the Judiciary to whom was referred House File No. 35, a bill for an act to amend chapter 116, of the Revision of 1860, entitled "Limitations of Actions," beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with recommendation that it be indefinitely postponed.

Also,

The joint resolution of the Senate to authorize the Census Board, to take such steps as may be necessary to prevent mining for coal underneath the property of the State of Iowa, at Des Moines, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with recommendation that it be adopted.

H. O. PRATT, *Chairman.*

Leave was granted to Mr. Irish to call up the Senate Memorial relative to the Bridge at Clinton.

Mr. Irish moved that the House adopt the Joint Resolution. The motion prevailed.

#### BILLS INTRODUCED.

Mr. Leahy introduced House File No. 44, a bill to repeal chapter 101, of the Revision of 1860, chapter 126 of the laws of the 13th General Assembly, and to define certain rights of married women.

Read a first and second time, and referred to Committee on Judiciary.

Mr. Butler introduced H. F. No. 45:

A bill for an act to provide an institution for the deaf and dumb, and to provide for the State printing and binding to be done by the same.

Mr. Butler moved that it be referred to a select committee of five, with instructions to act with Committee on Printing.

Mr. Beresheim moved to refer to Committee on Public Buildings.

Mr. Butler moved to amend the amendment by referring to Committee on Deaf and Dumb, with instructions to act in conjunction with the Committee on Printing.

The motion prevailed, and the bill was referred to Committee on Deaf and Dumb, with instructions, and ordered printed.

Mr. Hilton introduced H. F. No. 46 :

A bill to fix the salaries of county officers.

Read a first and second time and referred to Committee on Compensation of Public Officers, and on motion of Mr. Irish, the committee was instructed to have the bill printed.

MESSAGES FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER.—I am directed to inform your honorable body that the Senate has passed the following resolution, in which the concurrence of the House is asked :

Resolution in regard to printing and distributing Parts I. and II. of manuscript copy of code.

W. L. VESTAL,  
*First Assistant Secretary.*

Mr. Gear introduced H. F. No. 47 :

A bill for an act to legalize the incorporation of the Burlington and Northwestern Railway Company.

Read a first and second time and referred to Committee on Railroads.

By leave, Mr. Kasson introduced the following joint resolution, which was referred to Committee on Constitutional Amendments:

*Be it resolved by the General Assembly of the State of Iowa:*

SECTION 1. That the following amendment be proposed to the Constitution of this State, viz, : Strike out Section 10 of Article V. of the Constitution, relating to the judicial department, and insert the following :

“Sec. 10. The State shall be divided into the requisite number of Judicial districts for the prompt dispatch of legal business; and the General Assembly may from time to time increase or diminish the number of said districts, or the number of Judges of the Supreme Court: but no diminution of the number of judges shall have the effect of removing a judge from office: nor shall the number of judges of the Supreme Court be increased or diminished by more than one during any one period of four years.”

Sec. 2. That the foregoing proposed amendment be referred to the legislature to be chosen at the next general election, and shall be published for three months previous to the day of such election in one weekly newspaper in each Congressional district in the State, under direction of the Secretary of State.

Mr. Reuther introduced H. F. No. 48 :

A bill for an act to amend chapter 100 of the laws of the Twelfth General Assembly of the State of Iowa.

Read a first and second time and referred to Committee on Roads and Highways.

Mr. Duncan introduced H. F. No. 49 :

A bill for an act to repeal so much of chapter 118, of the laws of the Eleventh General Assembly as provides for the publication of the general and local laws in the newspapers in the several counties in this State.

Read a first and second time and referred to Committee on Ways and Means.

Mr. Hopkirk introduced H. F. No. 50:

A bill for an act to amend section 2, chapter 115, acts of the Tenth General Assembly.

Read a first and second time and referred to Committee on Expenditures.

Mr. Appleton introduced H. F. No. 51:

A bill for an act to amend section 2, chapter 173, of the Ninth General Assembly, and to harmonize the office of town and city assessor.

Read a first and second time and referred to Judiciary Committee.

Mr. Danforth introduced H. F. No. 52:

A bill for an act to amend section 1, chapter 113, of the acts of the Twelfth General Assembly, entitled, An act to protect game.

Read a first and second time and referred to Committee on County and Township Organization.

Mr. Kasson introduced H. F. No. 54 :

A bill for an act to reduce the amount of postage to be allowed to members of the General Assembly.

Read a first and second time and referred to Committee on Expenditures.

Mr. Clark of Iowa introduced H. F. No. 55.

A bill for an act amendatory to an act defining the duties of superintendent of common schools, read a first and second time and referred to Committee on Schools.

Mr. Bliss introduced H. F. No. 56, a bill for an act to legalize the acts of the Board of Directors of the Independent School District of the town of Steamboat Rock, county of Hardin, State of Iowa.

Read a first and second time and referred to Committee on Schools.

Mr. Hall introduced H. F. No. 57 an act to secure to laborers upon railroads the payment of their wages.

Read a first and second time and referred to Judiciary Committee.

Mr. Bergh introduced H. F. No. 58, a bill for an act repealing chapter 56, of the acts of the Eleventh General Assembly, and fixing the time of holding courts in Winneshiek county.

Read a first and second time, and on motion of Mr. Ainsworth,

the rule was suspended, the bill considered engrossed and read a third time now.

Upon the question shall the bill pass, the ayes and nays were as follows:

The yeas were:

Messrs. Ainsworth, Appleton, Beresheim, Bergh, Blackman, Bonewitz, Cadwell, Caldwell, Clark of Benton; Clarke of Iowa; Danforth, Davis, Day, Dayton, Dumont, Duncan, Duncombe, Durham, Ericson, Evans, Flenniken, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Hovey, Irish, Johnston, Kasson, Leahy, Lee, Litzenberg, Maxwell, McCoy, Merrell, Morrison, Newbold, O'Donnell, Peet, Perkins, Pratt, Reed, Reuther, Rice, Rohlf, Rule, Sandry, Secor, Stewart, Stow, Struthers, Tasker, Teale, Tufts, Tuttle, Van Deventer, Van Meter, Whitten, Wilson of Keokuk; Wilson of Washington; Wood of Clay; Wood of Story; Wright of Van Buren; and Mr. Speaker—Total, 70.

The nays were:—none

Absent or excused:

Messrs. Ballinger, Beatty of Cedar; Beatty of Jasper; Blake, Blakely, Bliss, Booth, Campbell, Cardell, Carver, Crawford, Davison, Draper, Ellsworth, Freeman, Hanan, Keables, McAllister, McClure, Miller, Mills, Paul, Schweer, Skillin, Steadman, Van Saun, Williams, and Wright of Mills—Total, 29.

So the bill passed and the title was agreed to.

Leave of absence was granted Messrs. Wright of Mills; Miller, Van Saun, and Campbell.

Mr. Appleton introduced H. F. No. 59, a bill for an act providing for the establishment of temporary county seats in newly organized counties and in relation to the location of county seats in newly organized counties.

Read a first and second time.

Mr. Appleton moved that the rule be suspended and the Bill read a third time now.

The bill was referred to Committee on New Counties.

The motion did not prevail.

Mr. McCoy introduced H. F. No. 60.

A bill for an act to amend section 307, of the Revision of 1860.

Read a first and second time and referred to Committee on Judiciary.

#### RESOLUTIONS.

Mr. Hewett offered the following resolution, which was adopted:

*Resolved*, That when bills for acts amendatory to chapters of the code, or subsequent acts are introduced, the *title shall give*, besides the chapter and section to be amended, the subject-matter *in brief* of the law so to be amended, or proposed amendment, or both, that

members may know by the reading of the title, the object of the proposed amendment.

Mr. Irish offered the following resolution, which was adopted:

*Resolved*, That the Speaker be authorized to appoint a special committee of five on Normal Schools.

MESSAGES ON THE SPEAKER'S TABLE.

The concurrent resolution of the Senate on the revision of the Code, was taken up, and on motion of Mr. Gear, the House concurred in the same.

Senate File No. 2, was taken up, and read a first and second time.

Mr. Clark, of Benton, moved that the rule be suspended, and the bill read a third time now.

The motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were:

Messrs. Ainsworth, Appleton, Beresheim, Bergh, Blackman, Bliss, Bonewitz, Butler, Caldwell, Clark, of Benton; Clarke, of Iowa; Close, Danforth, Davis, Day, Dayton, Dumont, Duncan, Duncombe, Durham, Ericson, Evans, Flenniken, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewitt, Hilton, Hopkirk, Hover, Irish, Johnston, Kasson, Leahy, Lee, Litzenberg, Maxwell, McCoy, Merrell, Morrison, Newbold, O'Donnell, Peet, Perkins, Pratt, Reuther, Rice, Rohlf, Rule, Sandry, Secor, Stewart, Stow, Struthers, Tasker, Tufts, Tuttle, Van Deventer, Van Meter, Whitten, Wilson, of Keokuk; Wilson, of Washington; Wood of Clay; Wright, of Van Buren, and Mr. Speaker—Total, 68.

The nays were none.

Absent or excused:

Messrs. Ballinger, Beatty, of Cedar; Beatty, of Jasper; Blake, Blakely, Booth, Cadwell, Campbell, Cardell, Carver, Crawford, Davisson, Draper, Ellsworth, Freeman, Hanan, Keables, McAllister, McClure, Miller, Mills, Paul, Reed, Schweer, Skillin, Stedman, Teale, Van Saun, Williams, Wood, of Story, and Wright of Mills—Total 31.

So the bill passed and the title was agreed to.

Senate File No. 10, was taken up and read a first and second time.

Mr. Clark, of Benton, moved that the rule be suspended, and the bill be considered engrossed and read a third time now.

The motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were:

Messrs. Appleton, Beresheim, Bergh, Blackman, Bliss, Bonewitz, Butler, Cadwell, Caldwell, Clark, of Benton; Clarke, of Iowa; Close, Danforth, Davis, Day, Dayton, Dumont, Duncan, Duncombe, Durham, Evans, Flenniken, Gear, Green, Hall, Hanson, Heberling, Hilton, Hopkirk, Hovey, Irish, Johnston, Kasson, Leahy, Lee, Litzenberg, Maxwell, McCoy, Merrell, Mills, Newbold, O'Donnell, Peet, Perkins, Pratt, Reuther, Rice, Rohlf, Rule, Secor, Stewart, Stow, Struthers, Tasker, Tufts, Van Deventer, Van Meter, Whitten, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Van Buren, and Mr. Speaker—Total, 64.

The nays were none.

Absent or excused:

Messrs. Ainsworth, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Blake, Blakely, Booth, Campbell, Cardell, Carver, Crawford, Davisson, Draper, Ellsworth, Ericson, Freeman, Goodsreed, Hanan, Hewett, Keables, McAllister, McClure, Morrison, Paul, Reed, Sandry, Schweer, Skillin, Steadman, Teale, Tuttle, Van Saun, Williams, and Wright of Mills—Total, 35.

So the bill passed and the title was agreed to.

Senate File No. 19, was taken up, and read a first and second time.

Mr. Tufts moved that the rules be suspended, and that the bill be considered engrossed and read a third time now.

The motion prevailed, and the bill was read a third time.

Upon the question, "Shall the bill pass?" the ayes and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beresheim, Bergh, Blackman, Bliss, Bonewitz, Butler, Cadwell, Clark of Benton; Close, Danforth, Davis, Day, Dayton, Dumont, Duncan, Duncombe, Durham, Ericson, Evans, Flenniken, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewitt, Hilton, Hopkirk, Hovey, Irish, Johnston, Kasson, Leahy, Lee, Litzenbergh, Maxwell, McCoy, Merrell, Newbold, O'Donnell, Peet, Perkins, Pratt, Reed, Reuther, Rice, Rohlf, Sandry, Secor, Stewart, Stow, Struthers, Tasker, Teale, Tufts, Van Deventer, Van Meter, Whitten, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Van Buren; and Mr. Speaker—Total, 68.

The nays were none.

Absent or excused—

Messrs. Ballinger, Beatty, of Cedar; Beatty, of Jasper; Blake, Blakely, Booth, Caldwell, Campbell, Cardell, Carver, Clarke, of Iowa; Crawford, Davisson, Draper, Ellsworth, Freeman, Hanan, Keables, McAllister, McClure, Miller, Morrison, Paul, Rule,



Schweer, Skillin, Stedman, Tuttle, Van Saun, Williams, and Wright, of Mills—Total, 31.

So the bill passed and the title was agreed to.

The joint resolution in reference to the Capitol Post-office was taken up, and on motion of Mr. Beresheim, was concurred in.

The joint resolution in reference to a recess was taken up.

Mr. O'Donnell moved that the House concur in the same.

Mr. Pratt moved to amend by striking out the words "Friday, February 16th," and insert, "Thursday, February 1st;" and strike out the words "Wednesday, February 28th," and insert the words "Tuesday, February 13th."

On motion of Mr. Morrison, the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, January 23d, 1872. }

The House convened pursuant to adjournment.

The Speaker in the Chair.

Prayer by Rev. P. B. Morgan.

Journal of yesterday read and approved.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER.—I am directed to inform your honorable body that the Senate has passed the following concurrent resolution in which the concurrence of the House is asked.

*Resolved by the Senate the House concurring,* That the Senate will meet the House in Joint Convention on Wednesday, January 24, at 11 o'clock a. m., of said day for the purpose of electing a State Printer, State Binder, and Warden of the Penitentiary.

J. A. T. HULL, Secretary.

The Chair announced the following Select Committees:

*Committee on Normal Schools.*—Messrs. Blake, Rohlf, Pratt, Bliss, and Merrill.

*Committee on Insurance.*—Messrs. Wood of Clay, Heberling, Davis, Draper, and Stow.

#### VISITING COMMITTEES.

*Penitentiary.*—Messrs. Morrison and Mills.

*State University.*—Messrs. Bergh, and Hall.

*Agricultural College and Farm.*—Messrs. Evans, and Kasson.

*Insane Asylum at Mt. Pleasant.*—Messrs. Tufts, and Davisson.

*Insane Asylum at Independence.*—Messrs. Duncombe and Keables.

*Institution for Education of the Blind.*—Messrs. Close and Irish.

*Institution for Deaf and Dumb.*—Messrs. Newbold and Leahy.

*Soldiers' Orphans' Home at Davenport.*—Messrs. Blackman and Ellsworth.

*Soldiers' Orphans' Home at Cedar Falls.*—Messrs. Goodspeed and Draper.

*Soldiers' Orphans' Home at Glenwood.*—Messrs. Johnston and Blake.

*Reform School.*—Messrs. Durham and Struthers.

The question recurring on the amendment offered by Mr. Pratt, the vote of the house was taken and the amendment was adopted.

On the adoption of the resolution as amended, Mr. Blackman demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beresheim, Blake, Bliss, Butler, Caldwell, Cardell, Carver, Clark of Benton; Davisson, Day, Dayton, Duncan, Duncombe, Durham, Ellsworth, Ericson, Flenniken, Gear, Goodspeed, Green, Hall, Heberling, Hewett, Irish, Litzenberg, McClure, Merrell, Mills, Morrison, O'Donnell, Paul, Pratt, Reed, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Stewart, Stow, Struthers, Van Deventer, Whitten, Wilson of Keokuk, Wood of Clay.—Total 49.

The nays were—

Messrs. Beatty of Jasper, Bergh, Blackman, Bonewitz, Cadwell, Campbell, Clarke of Iowa; Close, Danforth, Davis, Draper, Dumont, Evans, Hanson, Hilton, Hopkirk, Hovey, Johnston, Kason, Keables, Leahy, Lee, Maxwell, McAllister, McCoy, Newbold, Peet, Perkins, Stedman, Tasker, Teale, Tufts, Tuttle, Van Meter, Van Saun, Wilson of Washington, Wright of Mills, Wright of Van Buren, and Mr. Speaker.—Total 39.

Absent—

Messrs. Ballinger, Beatty of Cedar; Blakely, Booth, Crawford, Freeman, Hanan, Miller, Skillin, Williams, and Wood of Story.

So the resolution was adopted.

Leave of absence was granted Mr. Butler.

#### PETITIONS.

Mr. Dayton presented a petition from John W. Cower and others for indemnity.

Referred to Committee on Claims.

Mr. Hewett presented the petition of W. N. Meservy and 112 others of Webster county, asking the Legislature not to legalize the 5 per cent tax levied to aid in the construction of railroads.

Referred to Committee on Railroads.

Mr. Tufts presented the petition of C. B. Richards and 130 others of Fort Dodge, for the repeal of the law authorizing townships, etc., to vote aid to railroads.

Referred to Committee on Railroads.

Mr. Tufts presented the petition of W. H. Wright and others praying for a law in regard to independent road districts.

Referred to Committee on Roads and Highways.

#### REPORTS OF COMMITTEES.

Mr. Irish, from the Committee on Printing, submitted the following report:

MR. SPEAKER:—Your Committee on Printing, to whom was referred the resolution authorizing inquiry into the expediency and economy of abolishing the office of State Printer, and providing for having the State printing done on contract by the lowest bidder, beg leave to report that they have had the same under consideration, and have instructed me to report back to the House, with the recommendation that said office of State Printer be not abolished. The Committee further instruct me to say that the schedule of prices provided for the control of the State Printer is fixed at lower rates than is charged for the same classes of work in the private printing-houses of the State, and that the printing evidently cannot be done in lots on contract as cheaply and well as by a responsible and a bonded officer.

JNO. P. IRISH, *Chairman*.

Mr. Irish, from the Committee on Printing, submitted the following report:

MR. SPEAKER:—Your Committee on Printing, to whom was referred House File No. 13, a bill for an act defining the meaning of the term "newspaper," as used in chap. 118, acts of the Eleventh General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back with the recommendation that it do pass.

JNO. P. IRISH, *Chairman*.

On motion of Mr. Irish, the report of the Committee on House File No. 13, was adopted.

Mr. Pratt, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER:—Your Committee on the Judiciary, to whom was referred House File No. 19, A bill for an act to authorize the appointment of deputy county auditors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

H. O. PRATT, *Chairman*.

Mr. Pratt, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER:—Your Committee on the Judiciary, to whom was referred House File No. 27, A bill for an act limiting the time in which the legality of the organization of cities, incorporated towns, and other civil or municipal corporations can be questioned by suit or otherwise, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do pass.

H. O. PRATT, *Chairman.*

MR. SPEAKER:—Your Committee on the Judiciary, to whom was referred House File No. 30, A bill for an act prescribing regulations to be observed in making applications to the Governor for pardons and reprieves, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it be indefinitely postponed.

H. O. PRATT, *Chairman.*

MR. SPEAKER:—Your Committee on the Judiciary, to whom was referred House File No. 31, A bill for an act to prevent the drinking of intoxicating liquors by jurors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

H. O. PRATT, *Chairman.*

Mr. Peet, from Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER—The Committee on Engrossed Bills ask leave to report that they have examined the following bill and find the same correctly engrossed:

House File No. 58, A bill for an act repealing chapter 56 of the acts of the Eleventh General Assembly, and fixing the time for holding courts in Winneshiek county.

C. T. PEET, *Chairman.*

#### BILLS INTRODUCED.

Mr. Keables introduced H. F. No. 61, A bill for an act to amend section 2524 of the Revision of 1860, authorizing clerks of courts to solemnize marriages.

Read first and second time, and referred to Committee on Judiciary.

Mr. Goodspeed introduced H. F. No. 62, A bill for an act for the encouragement of Horticultural Forestry.

Read a first and second time, and referred to Committee on Horticulture.

Mr. Beatty, of Jasper, introduced H. F. No. 63, A bill for an act to provide for the preservation of fish in the waters of this State.

Read a first and second time, and referred to Committee on Agriculture.

Mr. O'Donnell introduced H. F. No. 64, A bill for an act to facilitate the construction of the Chicago, Clinton, & Dubuque Railroad Company, and to legalize certain acts done by said company.

Read a first and second time, and referred to Committee on Railroads.

Mr. Blackman introduced H. F. No. 65, A bill for an act apportioning the State of Iowa into representative districts, and declaring the ratio of representation.

Read a first and second time, and referred to Committee on Representative Districts, and ordered printed.

Mr. Teale introduced H. F. No. 66, A bill for an act making persons selling, giving away, or otherwise disposing of intoxicating liquors liable for all damages accrued by the use of the same.

Read a first and second time, and referred to Committee on the Suppression of Intemperance.

Mr. Ericson introduced H. F. No. 67, A bill for an act in relation to the compensation of members of the General Assembly.

Read a first and second time and referred to Committee on Compensation of Public Officers.

Mr. Wright of Mills, introduced H. F. No. 68, A bill, for an act to repeal section 7 and 8 of chapter 100 of the 12th General Assembly, and prescribing the duties of township trustees.

Read a first and second time and referred to Committee on Roads and Highways.

Mr. Davis introduced H. F. No. 69, A bill, for an act to protect wild turkeys, grouse, pheasants, and quails.

Read a first and second time and referred to Committee on Agriculture.

#### RESOLUTIONS.

Mr. Rohlf's offered the following resolution which was referred to Committee on Printing.

*Resolved by the House of Representatives, the Senate concurring,* That the Committees on Printing of both Houses be and they are hereby authorized to provide for the translation and printing of the biennial and inaugural messages in the several foreign languages, in conformity with the resolutions in regard to the same: *Provided*, That the compensation for translating shall not exceed, for the biennial, the sum of fifty dollars, and for the inaugural, the sum of thirty-five dollars, for each such translation, and that the

rates for composition, press work, &c., shall be the same as now allowed the State Printer by law: *And, provided further*, That in all cases where copies in any such foreign language are ordered by both Houses, only one charge shall be allowed for translation and composition of the same.

#### MESSAGES ON SPEAKER'S TABLE.

The concurrent resolution in reference to mining under the Capitol was taken up and concurred in. .

The resolution in relation to joint convention to elect State Printer, State Binder, and Warden of the Penitentiary was taken up and adopted.

By leave Mr. Tuttle offered the following resolution, which was adopted :

*Be it resolved by the General Assembly of the State of Iowa:* That our Senators in Congress be instructed, and our Representatives requested to use their best efforts to secure the passage of an act granting to Charlotte D. Crocker, widow of the late General Marcellus M. Crocker, an increase of pension from thirty to fifty dollars per month.

*Resolved*, That the Secretary of State be directed to forward a certified copy of this resolution to each of our Senators and Representatives in Congress, and to Hon. W. W. Belknap, Secretary of War.

By leave Mr. Rohlf's introduced the following resolution, which on the motion of Mr. Irish was adopted.

*Resolved, by the House of Representatives, the Senate concurring*, That there be printed for the use of the General Assembly and the Board of Immigration 4000 copies of the Biennial Report of said Board.

By leave Mr. Draper introduced House File Fo. 70, a bill, for an act empowering township trustees to purchase grounds for cemetery purposes.

Read a first and second time and referred to Committee on County and Township Organization.

#### BILLS ON SECOND READING.

House File No. 35, A bill, to amend chapter 116 of the Revision of 1860, entitled Limitations of Contracts was taken up, and on motion of Mr. Evans the recommendation of the committee that the bill be indefinitely postponed was concurred in.

By leave of the House, Mr. Beatty of Jasper, presented a petition in regard to the game law.

Referred to Committee on Agriculture.

House File No. 13, was taken up and considered.

Mr. Irish moved that the rule be suspended, the bill be engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" The yeas and nays were as follows:

The yeas were—

Messrs. Appleton, Beatty of Cedar; Beatty of Jasper; Beresheim, Bergh, Blackman, Blake, Bliss, Bonewitz, Butler, Cadwell, Caldwell, Campbell, Cardell, Carver, Clark of Benton; Clarke of Iowa; Close, Crawford, Danforth, Davisson, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Flenniken, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewitt, Hilton, Hopkirk, Hovey, Irish, Johnston, Kasson, Keables, Lee, Litzenburg, Maxwell, McAllister, McClure, McCoy, Merrell, Miller, Mills, Morrison, Newbold, O'Donnell, Paul, Perkins, Pratt, Reed, Renthner, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Stedman, Stewart, Stow, Struthers, Tasker, Teale, Tufts, Tuttle, Van Deventer, Van Meter, Van Saun, Whitten, Williams, Wileon of Keokuk; Wilson of Washington; Wood of Clay; Wood of Story; Wright of Mills; Wright of Van Buren, and Mr. Speaker.—Total 89.

The nays were—

Messrs. Davis, Evans, Leahy, and Peet.—Total 4.

Absent or not voting—

Messrs. Ainsworth, Ballinger, Booth, Hanan, Kaier, and Skillin.—6.

So the bill passed and the title was agreed to.

The resolution to abolish the office of State Printer and State Binder, was taken up and considered.

Mr. Leahy moved that the resolution be indefinitely postponed.

The motion prevailed.

House File No. 31, was taken up and considered.

Mr. Leahy moved that the bill be indefinitely postponed.

The motion prevailed.

On motion of Mr. Greene the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES IOWA, January 24, 1872. }

House convened pursuant to adjournment.

The Speaker in the chair.

Prayer by the Rev. P. B. Morgan.

Journal of yesterday read and approved.



## MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER—I am directed to present for your signature the following bills and joint resolution which have passed both branches of the General Assembly, and been duly enrolled and signed by the President of the Senate :

S. F. No. 19, A bill for an act in relation to certain school taxes in the independent school district of Springdale, Cedar county, Iowa.

S. F. No. 10, A bill for an act to legalize the organization of the Shiloh Presbyterian Church, in Benton county, Iowa.

S. F. No. 2, A bill for an act to change the times of holding the District Courts in the 8th Judicial District of Iowa.

Memorial and Joint Resolution in relation to a bridge across the Mississippi river at Clinton.

J. A. T. HULL, *Secretary.*

Leave of absence was granted to Mr. Ballinger.

A memorial was presented from R. G. Orwig in regard to the swamp land indemnity trouble during the administration of Ex-Governor Stone, which was read and referred to Committee on Ways and Means.

## REPORTS OF COMMITTEES.

Mr. Caldwell from the Committee on Railroads submitted the following report :

MR. SPEAKER—Your Committee on Railroads to whom was referred House File No. 64, A bill for an act to facilitate the construction of the Chicago, Clinton, and Dubuque Railroad Company and to legalize certain acts done by said company, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House, with the recommendation that it do pass.

S. T. CALDWELL, *Chairman.*

Mr. Evans, from the Committee on Expenditures, submitted the following report :

MR. SPEAKER:—Your Committee on Expenditures, to whom was referred H. F. No. 54, A bill for an act to reduce the amount of postage to be allowed to members of the General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do pass.

W. C. EVANS, *Chairman.*

Mr. Newbold, from the Committee on Schools, submitted the following report:

MR. SPEAKER:—Your Committee on Schools, to whom was referred H. F. No. 23, A bill for an act to legalize the sale by the Auditor of Washington county, and authorizing the issue of a patent to the purchaser, his heirs, or assigns, for the northeast quarter of the northwest quarter of section 16, township seventy-four, north of range seven, west, Washington county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do pass.

J. G. NEWBOLD, *Chairman.*

Mr. Caldwell, from the Committee on Railroads, submitted the following report:

MR. SPEAKER:—Your Committee on Railroads, to whom was referred H. F. No. 47, A bill for an act to legalize the incorporation of the Burlington and Northwestern Railway Company, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do pass.

S. T. CALDWELL, *Chairman.*

Mr. Peet, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER:—The Committee on Engrossed Bills ask leave to report that they have examined the following bills, and find the same correctly engrossed:

H. F. No. 13, A bill for an act defining the meaning of the term "newspaper," as used in chapter 118, of the acts of the Eleventh General Assembly.

O. T. PEET, *Chairman.*

#### INTRODUCTION OF BILLS.

Mr. Duncombe introduced H. F. No. 71, A bill for an act permitting proprietors of mills, owning lands nearest meandered lakes on their outlets, to construct dams for mill purposes, so as to hold the waters of such lakes at all seasons of the year at their ordinary level.

Read a first and second time and referred to Committee on Judiciary.

Mr. Leahy introduced H. F. No. 72, A bill for an act to amend section 6, of chapter 92, laws of the Twelfth General Assembly, entitled, An act to encourage the planting and growing of timber, etc.

Read a first and second time and referred to Committee on Agriculture.

Mr. Green introduced H. F. No. 73, A bill for an act to amend section 2, chapter 173, of the laws of the Ninth General Assembly, in regard to township Assessors.

Read a first and second time and referred to Committee on County and Township Organizations.

Mr. Merrell introduced H. F. No. 74, A bill for an act to amend section 1103 of the Revision of 1860.

Read a first and second time and referred to Committee on Judiciary.

Mr. Hall introduced H. F. No. 75, A bill for an act providing for the construction of public bridges at the expense of two or more counties.

Read a first and second time and referred to Committee on Roads and Highways.

The hour having arrived for the House to go into Joint Convention for the purpose of electing State Printer, Binder, and Warden of the Penitentiary.

Mr. Irish moved that a committee be appointed to wait on the Senate and inform them that the House was ready to receive them in Joint Convention, which motion prevailed.

The Speaker announced as such committee, Messrs. Irish and Freeman.

The said committee reported that they had performed their duty and were discharged.

On motion of Mr. Evans, the row of seats on each side of the aisle were vacated for the use of the Senate.

Mr. Duncombe introduced H. F. No. 76, A bill for an act to amend section 710 of the Revision of 1860, "an act in relation to revenue."

Read a first and second time, and referred to Committee on Ways and Means.

The door-keeper announced the honorable Senate.

#### JOINT CONVENTION.

The President of the Senate announced that the Convention had met for the purpose of electing State Printer, State Binder, and Warden of the Penitentiary.

The President announced Senators Atkins and Murray as tellers on the part of the Senate; the Speaker announced Messrs. Irish and Beresheim as tellers on the part of the House.

#### FOR STATE PRINTER.

Senator Burke nominated R. P. Clarkson, of Des Moines.

Mr. Paul nominated D. H. Richardson, of Davenport.

On a call of the joint roll, the result was as follows:

Those voting for R. P. Clarkson were:

Messrs. Allen, Appleton, Atkins, Beardsley, Beatty, of Cedar;

Beatty, of Jasper; Bemis, Beresheim, Bergh, Blackman, Blake, Bliss, Bonewitz, Boomer, Burke, Cadwell, Caldwell, Campbell, of Jasper; Cardell, Carver, Chambers, Clark, of Benton; Clarke, of Iowa; Claussen, Close, Converse, Crary, Crawford, Dague, Danforth, Davis, Davisson, Draper, Dumont, Duncan, Dysart, Ellsworth, Ericson, Evans, Fitch, Flenniken, Freeman, Gear, Goodspeed, Green, Hanson, Heberling, Hewett, Hopkirk, Hovey, Howland, Hurley, Ireland, Johnston, Kasson, Keables, Kephart, Ketcham, Larrabee, Leaby, Leavitt, Lee, Litzenberg, Lowry, Maxwell, of Guthrie; Maxwell, of Story; McAllister, McClure, McCoid, McCoy, McIntyre, McKean, McNutt, Merrill, of Wapello; Miles, Miller, Mills, Morrison, Murray, Newbold, Peet, Perkins, Pratt, Read, of Wayne; Reuther, Rice, Rohlf, Rule, Russell, Secor, Shane, Smith, Stedman, Stone, Struthers, Tasker, Taylor, Teale, Tufts, Vale, Van Deventer, Van Meter, Van Saun, West, Whitten, Willett, Williams, Wilson, of Keokuk, Wilson, of Tama; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren, and Young—Total, 118.

Those voting for D. H. Richardson were:

Messrs. Ainsworth, Campbell, of Jefferson; Dayton, Fairall, Gault, Hall, Hilton, Irish, Kinne, McCormack, McCulloch, Merrell, of Clinton; O'Donnell, Paul, Reed, of Jackson; Sandry, Schweer, Stewart, of Lee; Stuart, of Jackson; Stow, Tuttle, and Wonn—Total, 23.

Whole number of votes cast.....	138
Necessary to a choice.....	70
Of which R. T. Clarkson received....	115
Of which D. H. Richardson received.....	23

Absent or excused:

Messrs. Ballinger, Blakely, Booth, Butler, Dashiell, Durham, Havens, Richards, and Skillin—Total, 9.

Mr. R. P. Clarkson having received a majority of all the votes was declared duly elected State Printer for the ensuing term.

#### STATE BINDER.

Senator Leavitt nominated J. J. Smart, of Black Hawk county.

Senator Fairall nominated James Lee, of Johnson county.

The Joint Roll was then called with the following result:

Those voting for J. J. Smart were—

Messrs. Allen, Appleton, Atkins, Beardsley, Beatty of Cedar; Beatty of Jasper; Bemis, Beresheim, Bergh, Blackman, Blake, Bliss, Bonewitz, Boomer, Burke, Cadwell, Caldwell, Campbell of

Jasper ; Cardell, Carver, Chambers, Clark of Benton ; Clarke of Iowa ; Claussen, Close, Converse, Crary, Crawford, Dague, Danforth, Davis, Davisson, Draper, Dumont, Duncan, Dysart, Ellsworth, Ericson, Evans, Fitch, Flenniken, Freeman, Gear, Goodspeed, Green, Hanson, Heberling, Hewett, Hopkirk, Hovey, Howland, Hurley, Ireland, Johnston, Kasson, Kephart, Ketcham, Leahy, Leavitt, Lee, Litzenberg, Lowry, Maxwell of Guthrie ; Maxwell of Story ; McAllister, McClure, McCoid, McCoy, McIntyre, McKean, McNutt, Merrill of Wapello ; Miles, Miller, Mills, Morrison, Murray, Newbold, Peet, Perkins, Pratt, Read of Wayne ; Reuther, Rice, Rohlf, Rule, Russell, Secor, Shane, Smith, Stedman, Stone, Struthers, Tasker, Taylor, Teale, Tufts, Vale, Van Deventer, Van Meter, Van Saun, West, Whitten, Willett, Williams, Wilson of Keokuk ; Wilson of Tama ; Wilson of Washington ; Wood of Clay ; Wood of Story ; Wright, of Mills ; Wright of Van Buren ; and Young.—Total 113.

Those voting for James Lee were—

Messrs. Ainsworth, Campbell of Jefferson ; Day, Dayton, Duncombe, Fairall, Gault, Hall, Hilton, Irish, Kinne, McCormack, McCulloch, Merrell, of Clinton ; O'Donnell, Paul, Reed of Jackson ; Sandry, Schweer, Stewart of Lee, Stuart of Jackson, Stow, Tuttle, and Wonn.—Total 23.

Whole number of votes cast.....	136
Necessary to a choice.....	69
Of which J. J. Smart received.....	113
Of which James Lee received.....	23

Absent or excused—

Messrs. Ballinger, Blakely, Booth, Butler, Dashiell, Durham, Hanan, Keables, Larrabee, Richards, and Skillin.—Total 11.

Mr. J. J. Smart having received a majority of all the votes cast, was declared duly elected to the office of State Binder for the term next ensuing.

The joint convention then proceeded to the election of Warden of the State Penitentiary.

Mr. Beresheim nominated S. H. Craig of Pottawattamie county.

Mr. O'Donnell nominated Wm. D. Bucknam, of Dubuque county.

The joint roll was called with the following result:

Those voting for Seth H. Craig were—

Messrs. Appleton, Atkins, Beardsley, Beatty of Cedar ; Beatty of Jasper ; Bemis, Beresheim, Bergh, Blackman, Blake, Bliss, Bonewitz, Boomer, Burke, Cadwell, Caldwell, Campbell of Jasper ; Cardell, Carver, Chambers, Clark of Benton ; Clarke of Iowa ; Claussen, Close, Converse, Crary, Crawford, Dague, Danforth, Davis, Davisson, Draper, Dumont, Duncan, Dysart, Ellsworth, Ericson, Evans, Fitch, Flenniken, Freeman, Gear, Goodspeed,

Green, Hanson, Heberling, Hewett, Hopkirk, Hovey, Howland, Hurley, Ireland, Johnston, Kasson, Keables, Kephart, Ketcham, Leahy, Leavitt, Lee, Litzenberg, Lowry, Maxwell of Guthrie; Maxwell of Story; McAllister, McClure, McCoid, McCoy, McIntyre, McKean, McNutt, Merrill of Wapello; Miles, Miller, Mills, Morrison, Murray, Newbold, Peet, Perkins, Pratt, Read of Wayne; Reuther, Rice, Rohlf, Rule, Russell, Secor, Shane, Smith, Stedman, Stone, Struthers, Tasker, Taylor, Teale, Tufts, Vale, Vandeventer, Van Meter, Van Sann, West, Whitten, Willett, Wilson of Keokuk; Wilson of Tama; Wilson of Washington; Wood of Clay; Wood of Story; Wright of Mills; Wright of Van Buren; and Young.—Total 113.

Those voting for Wm. D. Bucknam were—

Messrs. Airsworth, Campbell of Jefferson; Day, Dayton, Duncombe, Fairall, Gault, Hall, Hilton, Irish, Kinne, McCormack, McCulloch, Merrell, of Clinton; O'Donnell, Paul, Reed of Jackson; Sandry, Schweer, Stewart of Lee; Stuart of Jackson; Stow, Tuttle, and Wonn.—Total 24.

Whole number of votes cast.....	137
Necessary to a choice .....	69
Of which Seth H. Craig received .....	113
Of which W. B. Bucknam received.....	24

Absent or excused—

Messrs. Allen, Ballinger, Blakely, Booth, Butler, Dashiell, Durham, Hanan, Havens, Larrabee, Richards, Skillin, and Williams.—Total, 13.

Mr. Seth H. Craig having received a majority of all the votes cast was declared duly elected to the office of Warden of the State Penitentiary for the ensuing year.

The following certificates of the election of officers therein named were read and signed in open convention :

REPRESENTATIVE HALL, }  
DES MOINES, IOWA, Jan. 24, 1872. }

This is to certify, that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 24th day of January, A. D. 1872, for the purpose of electing a State Printer, R. P. Clarkson having received a majority of all the votes cast for said office, was declared duly elected State Printer for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 24th day of January, A. D. 1872.

H. C. BULIS,

President of the Senate.

JAMES WILSON,

Speaker of the House of Representatives.

ATTEST :

CHAS. ATKINS,

B. F. MURRAY,

Tellers of the Senate.

JOHN BERESHEIM,

JOHN P. IRISH,

Tellers of the House of Representatives.

REPRESENTATIVE HALL, }  
DES MOINES, IOWA, Jan. 24th, 1872. }

This is to certify, that at an election by the two Houses of the General Assembly of the State of Iowa, in Joint Convention, on Wednesday, the 24th day of January, A. D. 1872, for the purpose of electing a State Binder, J. J. Smart, having received a majority of all the votes cast for said office, was declared duly elected State Binder for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention this 24th day of January, A. D. 1872.

H. C. BULIS,

President of the Senate.

JAMES WILSON,

Speaker of the House of Representatives.

ATTEST :

CHAS. ATKINS,

B. F. MURRAY,

Tellers of the Senate.

JOHN BERESHEIM,

JOHN P. IRISH,

Tellers of the House of Representatives.

REPRESENTATIVE HALL, }  
DES MOINES, IOWA, Jan. 24, 1872. }

This is to certify, that at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on



Wednesday, the 24th day of January, A. D. 1872, for the purpose of electing a Warden of the State Penitentiary, Seth H. Craig having received a majority of all the votes cast for said office, was declared duly elected Warden of the State Penitentiary for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 24th day of January A. D. 1872.

H. C. BULIS,

President of the Senate.

JAMES WILSON,

Speaker of the House of Representatives

ATTEST:

CHAS. ATKINS,

B. F. MURRAY,

Tellers of the House.

JOHN BERESHEIM,

J. P. IRISH,

Tellers of the House of Representatives.

Mr. O'Donnell moved that the joint convention now dissolve.

The motion prevailed, and the joint convention dissolved.

The House was then called to order by the Speaker.

Mr. Davis introduced H. F. No. 77, a bill for an act to amend chapters 118 and 120 of the Revision of 1860, and to regulate the place of bringing suits and service of original notice in certain cases.

Read a first and second time and referred to Committee on Judiciary.

Mr. Kasson introduced House File No. 78, a bill for an act relating to taxes for bridge purposes.

Read a first and second time, and referred to Committee on Roads and Highways.

Mr. McCoy introduced House File No. 79, a bill for an act to amend sec. 828, of the Revision of 1860, and repeal sec. 829, of said chapter, fixing the time for road commissioners to report.

Read a first and second time, and referred to Committee on Roads and Highways.

On motion of Mr. Dancombe, House File No. 64 was made the special order for to-morrow at eleven o'clock.

#### RESOLUTIONS.

Mr. O'Donnell offered the following resolution, which on motion, was referred to Committee on Federal Relations:

*Resolved by the General Assembly of the State of Iowa, That our Senators in Congress be instructed, and our Representatives requested to use all proper means to secure the adoption of the proposed amendment to the constitution of the United States, making foreign born citizens eligible to the offices of President and Vice-President of the United States.*

*Resolved, That the Secretary of State be instructed to send a copy of these joint resolutions to each of our Senators and Representatives in Congress.*

Mr. Blake offered the following resolution, which was not adopted:

*Resolved, That the Secretary of State be requested to have a sufficient number of letter heads printed for the use of members of the House of Representatives.*

#### BILLS ON SECOND READING.

House File No. 30, A bill for an act prescribing regulations to be observed in making applications to the Governor for pardons and reprieves, was taken up and considered.

Mr. Pratt moved that the bill be indefinitely postponed.

The motion prevailed.

House File No. 27, A bill for an act limiting the time in which the legality of the organization of cities, incorporated towns, or other civil or municipal corporations can be questioned by suit or otherwise, was taken up and considered. Pending which, on motion of Mr. Ainsworth, the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, January 25, 1872. }

House convened pursuant to adjournment.

The speaker in the chair.

Prayer by Hon. L. F. Ellsworth.

Journal of yesterday read and approved.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill and joint resolution, in which the concurrence of the House is asked:

S. F. No. 38, A bill for an act legalizing the incorporation of the Burlington and Northwestern Railway Company.

Joint Resolution authorizing the Board of Commissioners of the Iowa Hospital for the Insane at Independence to continue the work on the same.

Also,

Concurrent Resolution inviting the Commissioners to Revise and Re-Write the Code, to seats on the floor of the two houses, and granting them the privilege of participating in the debates when considering their reports in committee of the whole house.

I am also directed to inform your honorable body that the Senate has concurred in the House amendments to Senate resolution providing for a recess of the two houses.

J. A. T. HULL, *Chairman.*

The question recurring on the consideration of H. F. No. 27, and the engrossing of the bill, Mr. Hall submitted a substitute, which on motion of Mr. Duncombe, was referred with the bill to the Committee on Judiciary.

#### PETITIONS.

Mr. Miles presented a petition from 69 citizens of Bear Grove township, Cass county, asking that their township be set off by special order or otherwise from the independent school district of Lewis in said county, which was referred to Committee on Schools.

Mr. Cadwell presented a petition from the citizens of Harrison county, relating to the satisfaction of mortgages.

Referred to Committee on Judiciary.

Mr. Hall presented a petition from Mr. Branagan, in regard to the cost of boilers.

Referred to Committee on Insane Asylum.

Mr. Rohlf's presented a petition from citizens of Scott county in regard to liquor law.

Referred to Committee on Suppression of Intemperance.

Mr. Cadwell presented a petition from the citizens of the independent school district of Missouri Valley, in Harrison county, Iowa.

Referred to Committee on Judiciary.

#### REPORT OF COMMITTEES.

Mr. Pratt, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary to whom was referred House File No. 16, A bill for an act to prescribe the time and manner of collection of taxes voted in aid of railroads—beg leave to report that they have had the same under consideration and have

instructed me to report the same back to the House with the recommendation that it do pass.

Also,

H. F. No. 15, A bill for an act to amend the acts granting taxes to aid railroads, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it be indefinitely postponed.

Also,

H. F. No. 29, A bill for an act to legalize certain acts of the city of Clinton, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

H. O. PRATT, *Chairman.*

Mr. Rohlf from the Committee of Compensation of Public Officers submitted the following report:

MR. SPEAKER: Your Committee on Compensation of Public Officers, to whom was referred House File No. 20, A bill for an act making it unlawful for any members of the General Assembly to receive mileage, postage stamps, stationery, or other perquisite to be paid for out of the State treasury, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do *not* pass.

Also,

A concurring resolution, offered by Mr. Danforth, that a Special Committee of three from the House and two from the Senate, be appointed to recommend the per diem. to be allowed officers and employees of the Fourteenth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that the resolution do *not* pass.

Also,

House File No. 34, A bill for an act to reduce the weekly allowance of postage stamps and stationery of the members of the General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House, with the recommendation that no further action be taken in the matter at present.

M. J. ROHLFS, *Chairman.*

Mr. Irish from the Committee on Printing submitted the following report:

MR. SPEAKER.—Your committee on Printing, to whom was referred a concurrent resolution providing for the translating and

printing of the Inaugural and Biennial messages in foreign tongues, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

JNO. P. IRISH, *Chairman.*

Mr. Hopkirk from committee on Roads and Highways submitted the following report:

MR. SPEAKER.—Your Committee on Roads and Highways, to whom was referred House File No. 40, A bill, for an act to authorize corporated towns to appropriate a certain portion of the road tax to aid in the construction, repair of roads leading thereto, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also,

House File No. 98, A bill, for an act to repeal section 7 and 8 of chapter 100 of the laws of the 12th General Assembly and prescribing the duties of Trustees, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

WILLIAM HOPKIRK, *Chairman.*

Mr. Newbold from the Committee on Schools submitted the following report:

MR. SPEAKER.—Your Committee on Schools to whom was referred House File No. 56, A bill, for an act to legalize the acts of the Board of Directors of the Independent School District of the town of Steamboat Rock, county of Hardin, State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

J. G. NEWBOLD, *Chairman.*

Mr. Close, from the Committee on Agriculture submitted the following report:

MR. SPEAKER: Your Committee on Agriculture, to whom was referred House File No. 72, A bill for an act to amend chapter 92 of the laws of the Twelfth General Assembly, entitled an act to encourage the planting and growing of timber, fruit trees, shade and hedges, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also,

H. F. No. 18, A bill for an act to amend section 8, chapter 20, of acts of the Thirteenth General Assembly, beg leave to report that they

have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it pass.

C. CLOSE, *Chairman*.

#### INTRODUCTION OF BILLS.

Mr. Goodspeed introduced H. F. No. 80, A bill for an act for the prevention of crime and the punishment thereof.

Read a first and second time, and referred to Committee on Judiciary.

Mr. Hopkirk introduced H. F. No. 81, A bill for an act amendatory of section 1, chapter 155, acts of the Twelfth General Assembly.

Read a first and second time, and referred to Committee on Claims.

Mr. Danforth introduced H. F. No. 82, A bill for an act to repeal chapter 171 of the acts of the Twelfth General Assembly, and chapter 174 of the acts of the Thirteenth General Assembly, being acts for the registry of voters.

Read a first and second time and referred to Committee on Elections.

Mr. Campbell introduced H. F. No. 83, A bill for an act to repeal chapter 171 of the laws of the Twelfth General Assembly, and chapter 174 of the Thirteenth General Assembly.

Read a first and second times and referred to Committee on Elections.

Mr. Keables introduced H. F. No. 84. A bill for an act for the relief of Marion county for money stolen from the County safe.

Read a first and second time and referred to Committee on Claims.

Mr. Ellsworth introduced H. F. No. 85, A bill for an act to amend chapter 45 of the Revision of 1860, providing for the payment of taxes semi-annually.

Read a first and second time, and referred to Committee on Ways and Means.

Mr. Davis introduced H. F. 86, A bill for an act to amend chapter 61 of the Revision of 1860, regulating fences.

Read a first and second time, and referred to Committee on Police Regulations.

Mr. Irish introduced H. F. No. 87, A bill for an act appropriating \$10,000 to aid in the completion of the Washington National Monument.

Read a first and second time, and referred to Committee on Ways and Means.

Mr. Heberling introduced H. F. No. 88, A bill for an act to amend section 1088 of the Revision of 1860, and to direct the appropriations of fines in certain cases.

Read a first and second time, and referred to Committee on Judiciary.

Mr. Hall introduced H. F. No. 89, A bill to protect Mutual Loan Societies, and other similar associations.

Read a first and second time, and referred to Committee on Incorporations.

Mr. Heberling introduced H. F. No. 90, A bill for an act to amend chapter 29 of the Ninth General Assembly.

Read a first and second time, and referred to Committee on Judiciary.

#### RESOLUTIONS.

Mr. Wright, of Mills, offered the following preamble and resolution, which was adopted:

Preamble and joint resolution relative to proof of occupancy on homesteads, and to extend the right of soldiers under homestead act.

WHEREAS, Homesteaders, after five years of occupancy, in making their final proof, are compelled to go with two witnesses—in many cases long distances—to the land office of the district they are in, and make oath as to actual occupancy which involves a great deal of expense to those illy able to bear it; and

WHEREAS, Believing that justice demands that homesteaders who were soldiers during our late rebellion, should have the time served in the army deducted from their time of occupancy on homesteads now required by law; therefore, be it

*Resolved by the House, the Senate concurring,* That our Senators and Representative in Congress are hereby requested to use their influence in having a law passed to relieve homesteaders of the heavy expense of making proof of occupancy, by having the same taken before a clerk of a court, or some other officer having a seal; and we further most respectfully request that they use their influence in procuring the passage of a law for the benefit of the soldiers who are or may become homesteaders, by having their time of service deducted from the time now required by law to procure a homestead.

*Resolved,* That the Secretary of State be directed to forward a copy of this preamble and joint resolution to each of our Senators and Representatives in Congress.

Mr. Tasker offered the following resolution, which was adopted:

*Resolved by the General Assembly of the State of Iowa,* That our Senators and Representatives in Congress be instructed to hasten the passage of the apportionment bill so as to give us time at the present session of the legislature to apportion our State into Congressional districts, and that the Secretary of State be requested to forward a copy of this resolution to our members of Congress.

Mr. Irish offered the following concurrent resolution, which was adopted:



*Resolved by the House, the Senate concurring,* That the Joint Visiting Committee appointed to visit the State University, be hereby instructed to also visit and examine into the condition of the State Historical Society at Iowa City, and report fully thereon.

Mr. Green offered the following resolution, which was not adopted:

WHEREAS, This House has allowed Reporters the sum of two dollars per week for stationery, therefore,

*Be it Resolved,* That the Secretary of State be, and is hereby instructed to furnish said Reporters with the said stationery, or its equivalent in postage stamps.

Mr. Kasson offered the following resolution which was referred to the Committee on Ways and Means.

*Be it Resolved by the General Assembly of the State of Iowa:* That the Governor be, and is hereby, authorized and empowered to appoint an agent in behalf of this State, to prosecute to final decision, before Congress or in the courts, the claim of this State for the five per cent due to the same from the United States upon the lands in this State, disposed of under military warrants issued to non-commissioned officers, musicians, and privates in the late Mexican war: and that said agent shall be well-informed in the law, and shall be allowed such compensation as shall be agreed upon between the Governor and himself, to be paid only after the recovery of the claim in whole or in part, and not to be paid out of any other fund; and *provided*, that the State shall not be otherwise liable for any expenses whatever attending the prosecution of such claim.

Mr. Lee offered the following resolution, which was referred to Committee on Judiciary:

*Resolved,* That the Judiciary Committee be instructed to inquire into the propriety and report a bill at as early a day as possible, making prosecuting witnesses responsible for all costs in criminal prosecutions where the State fails to make a case.

Mr. Beatty, of Jasper, offered the following resolution, which was referred to Committee on Judiciary.

*Resolved,* That the Committee on Judiciary be, and are hereby, instructed to report a bill providing for the abolition of the circuit court.

Mr. Hewett offered the following resolution, which was not adopted:

*Resolved,* That the Committee on schools be instructed to inquire into the expediency of providing for the appointment of county superintendents of common schools by the boards of supervisors of their respective counties, and of providing for the examination of said superintendents by the Superintendent of Public Instruction before entering upon the duties of their offices, and providing also for the better compensation of said officers.

Mr. Litzburg offered the following resolution which was referred to the Committee on Elections:

*Resolved*, That the Committee on Elections be requested to enquire into the expediency of a bill looking to the repeal or the modification of the registry law so as to apply only to townships containing towns and cities of five thousand inhabitants and upwards.

Mr. Heberling offered the following resolution which was referred to Committee on Elections:

The following resolutions were adopted by the Board of Supervisors of Jackson county, Iowa, at their January session, 1872:

*Resolved*, That it is the opinion of the Board of Supervisors of Jackson county, Iowa, that the registry law of the State of Iowa should be repealed, the same being an unnecessary expense to the county, to the amount of \$300 or more per annum, with no corresponding benefit to the public.

*Resolved*, That our Senator and Representatives be instructed and requested to use their influence to secure the repeal of said law.

*Resolved*, That a copy of these resolutions be forwarded by the county auditor to our Senator and Representatives.

STATE OF IOWA, }  
JACKSON COUNTY. } ss.

I hereby certify the above to be a true copy of resolutions adopted by the Board of Supervisors of said county, at their January session, 1872.

{ Seal. } Witness my hand and the seal of said county, this  
22d day of January, 1872.

T. E. BLANCHARD, *County Auditor*.

#### MESSAGES ON THE SPEAKER'S TABLE.

S. F. No. 38, A bill to legalize the incorporation of the Burlington and Northwestern Railway Company, was taken up and read a first and second time.

Mr. Gear moved that the rule be suspended and the bill considered engrossed and read a third time now.

The motion prevailed.

The bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beatty of Cedar; Beatty of Jasper; Beresheim, Bergh, Blackman, Blake, Blakely, Bliss, Bonewitz, Cadwell, Caldwell, Campbell, Cardell, Carver, Clark of Benton; Clarke of Iowa; Close, Crawford, Danforth, Davis,

Davisson, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Hovey, Irish, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Miller, Mills, Morrison, Newbold, O'Donnell, Paul, Peet, Perkins, Pratt, Reed, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Teal, Tufts, Tuttle, Van Deventer, Van Meter, Van Saun, Whitten, Williams, Wilson of Keokuk; Wilson of Washington; Wood of Clay; Wood of Story; Wright of Mills; Wright of Van Buren, and Mr. Speaker.—Total, 95.

Absent or excused—

Messrs. Ballinger, Booth, Butler, and Hanan.—Total, 4.

So the bill passed and the title was agreed to.

The hour having arrived for the special order, being the consideration of H. F. No. 64, a bill for an act to facilitate the construction of the Chicago, Clinton & Dubuque Railroad, and to legalize certain acts done by said company.

On motion of Mr. Duncombe the bill was taken up.

Mr. Ainsworth moved to amend as follows:

That all of the acts and doings of said company, and of the officers and directors, shall be as legal and valid as if the same had been done in the name of the Dubuque, Bellevue & Mississippi Railroad Company, and as if due notice had been given as provided by articles of incorporation, of the removal of the place of business, and of the change of name, had never been legally made.

Mr. Reed moved to amend the amendment as follows:

*Provided*, That nothing in this act shall in any way legalize or make valid any tax which may have been voted in aid of said railroad.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following concurrent resolution, in which the concurrence of the House is asked:

*Resolved by the Senate, the House concurring*, That Reverends T. O. Rice, J. G. Dimmit, and C. C. Mabee, clergymen of Des Moines, as well as the pastors of the churches, be included in the invitation to officiate as chaplains of this General Assembly.

JAS. A. T. HULL, *Secretary*.

The amendment to the amendment was adopted.

The amendment was adopted.

Mr. Irish moved that the rule be suspended, the bill be engrossed, and read a third time now.

The motion prevailed, and the bill was read a third time.

Upon the question, "Shall the bill pass?"

The yeas and nays were as follows:

The yeas were:

Messrs. Appleton, Bereshiem, Bergh, Blackman, Bliss, Bonewitz, Cadwell, Caldwell, Campbell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Day, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Flenniken, Gear, Goodspeed, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Hovey, Irish, Johnston, Kasson, Keables, Leahy, Litzenberg, Maxwell, McClure, Merrell, Mills, Morrison, Newbold, O'Donnell, Paul, Perkins, Pratt, Reuther, Rice, Rohlf, Rule, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Teale, Tufts, Tuttle, Van Deventer, Van Saun, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; Mr. Speaker—Total 74.

The nays were:

Messrs. Ainsworth, Beatty, of Cedar; Beatty, of Jasper; Blake, Davisson, Dayton, Draper, Evans, Freeman, Green, Lee, McAllister, McCoy, Peet, Reed, Sandry, Schweer, Van Meter, and Wright, of Van Buren—Total 19.

Absent or excused:

Messrs. Ballinger, Booth, Butler, Blakely, Cardell, Hanan—Total 6.

So the bill passed, and the title was agreed to.

#### CONCURRENT RESOLUTION.

The concurrent resolution of the Senate, allowing the Code Commissioners seats on the floor in the Committee of the Whole, was taken up, considered, and adopted.

The concurrent resolution in reference to continuing the work on the Insane Hospital, at Independence, was taken up, considered, and referred to Committee on Public Buildings.

The concurrent resolution including Reverends Rice, Dimmit, and Maybee in the invitation to the officiating clergymen of Des Moines to officiate as chaplains during the session, was taken up, and referred to a special committee of three, consisting of clergymen of the House.

Mr. Duncombe moved that the substitute for H. F. No. 1, be made the special order for to-morrow at eleven o'clock, A. M.

The motion prevailed.

On motion of Mr. Clark, of Benton, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, January 26, 1872,

House convened pursuant to adjournment.  
The Speaker in the chair.  
Prayer by Rev. J. W. Swope.  
Journal of yesterday read and approved.

MESSAGES FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER.—I am directed to inform your honorable body that the Senate has passed the following concurrent resolution in which the concurrence of the House is asked:

*Resolved by the Senate the House concurring,* That two additional copies of White's Geological Report be furnished to each member and officer of this General Assembly.

I am also directed to inform your honorable body that the Senate has concurred in House resolution relative to printing the report of the Board of Immigration.

J. A. T. HULL, *Secretary.*

PETITIONS.

Mr. Skillin presented two petitions on the subject of the repeal of the law enabling townships to vote a tax in aid of railroads.

Referred to Committee on Railroads.

Mr. Reuther presented a petition in reference to the satisfaction of mortgages.

Referred to Committee on Judiciary.

REPORTS OF COMMITTEES.

Mr. Tufts, from the committee on claims, submitted the following report:

MR. SPEAKER.—Your committee on claims, to whom was referred House File No. 81, A bill, for an act amendatory of section 1, chapter 155, act of the 12th General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it be indefinitely postponed.

TUFTS, *Chairman.*

Mr. Kasson from the Committee on Ways and Means submitted the following report.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred House File No. 7, A bill for an act to protect the makers of promissory notes, &c., beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be referred to the Judiciary Committee, as having the proper jurisdiction thereof.

On Motion of Mr. Kasson the bill was referred to the Committee on Judiciary.

Also,

Joint Resolution relating to the five per cent. claim of the State of Iowa upon the United States upon lands disposed of under certain military warrants, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be adopted.

Also,

The accompanying memorial to exempt from taxation the property of persons over sixty years of age, report the same back with the recommendation that its consideration be indefinitely postponed, the prayer thereof being in contravention of the principles of the State Constitution.

Also,

H. F. No. 11, A bill for an act in relation to penalties on delinquent taxes, and also a resolution on the same subject, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the bill do not pass; and that the resolution be indefinitely postponed.

JOHN A. KASSON, *Chairman.*

Mr. Pratt, from the Committee on Judiciary, submitted the following report.

MR. SPEAKER: Your Committee on the Judiciary, to whom was referred H. F. No. 61, A bill for an act to amend section 2524, of the Revision of 1860, authorizing clerks of courts to solemnize marriages, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to House with the recommendation that it be indefinitely postponed.

Also,

House File No. 51, A bill for an act to amend section 2, chap. 172, acts of the Ninth General Assembly, and to harmonise the office of town and city assessor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be referred to the Committee on County and Township Organization.

H. O. PRATT, *Chairman.*

On motion of Mr. Pratt, the bill was referred to Committee on County and Township Organizations.

MR. SPEAKER:—Your Committee on the Judiciary to whom was referred House File No. 71, A bill for an act permitting the proprietors of mills owning lands nearest to meandered lakes or their outlets, to construct dams for mill purposes, so as to hold the waters of such lakes at all seasons of the year at their ordinary level, beg leave to report that they have had the same under consideration, and a majority of said committee have instructed me to report the same back to the House, with the recommendation that it do pass.

Also,

House File No. 60, A bill for an act to amend section 307 of the Revision of 1860, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it be indefinitely postponed.

H. O. PRATT, *Chairman.*

Mr. Draper presented the following report :

MR. SPEAKER:—Your Committee on Public Buildings, to whom was referred a joint resolution authorizing the Board of Commissioners of the Iowa Hospital for the Insane, to continue the work on the same, at Independence, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do pass.

IRA E. DRAPER, *Acting Chairman.*

Mr. Hovey moved that the House concur in the report of the committee on the joint resolution.

Mr. Campbell moved to re-commit to Committee on Public Buildings.

The motion to re-commit prevailed.

Mr. Freeman, from Committee on Military Affairs, submitted the following report, which was taken up and adopted :

MR. SPEAKER:—Your Committee on Military Affairs, to whom was referred the joint resolution asking Congress to pass a law granting one hundred and sixty acres of land to honorably discharged soldiers and sailors of the war of the Rebellion, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it be adopted.

J. H. FREEMAN, *Chairman.*

Leave was granted Mr. Van Deventer to call up H. F. No. 29, A bill for an act to legalize the acts of the city of Clinton, Iowa.



The bill was taken up and considered, and Mr. Van Deventer moved that the rule be suspended, and the bill considered engrossed and read a third time now.

The motion prevailed, and the bill was read a third time.

Upon the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beatty of Cedar; Beatty of Jasper; Beresheim, Bergh, Blackman, Blake, Bliss, Bonewitz, Cadwell, Caldwell, Campbell, Cardell, Carver, Clark of Benton; Clark of Iowa; Close, Crawford, Danforth, Davis, Davisson, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Hovey, Irish, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrill, Miller, Mills, Morrison, Newbold, O'Donnell, Paul, Peet, Perkins, Pratt, Reed, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Teale, Tufts, Tuttle, Van Deventer, Van Meter, Van Saun, Whitten, Williams, Wilson of Keokuk; Wilson of Washington; Wood of Clay; Wood of Story; Wright of Mills; Wright of Van Buren; and Mr. Speaker—Total, 93.

The nays were none.

Absent or excused—

Messrs. Ballinger, Blakely, Booth, Butler, Flennikin, and Hanan—Total, 6.

So the bill passed and the title was agreed to.

The hour having arrived for the consideration of the special order, being the substitute for H. F. No. 1, A bill for an act authorizing the appointment of a commissioner to examine and report upon the losses of the settlers upon the Des Moines river lands, the same was taken up and considered.

Mr. Duncombe moved that the rules be suspended, the bill be considered engrossed, and read a third time now.

The motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Bliss, Bonewitz, Cadwell, Caldwell, Campbell, Cardell, Carver, Clarke, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Davisson, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Freeman, Gear, Goodspeed, Green, Hall, Hanan, Hanson, Heberling, Hewett, Hilton, Hopkirk, Hovey, Irish, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Miller, Mills, Newbold, O'Donnell, Paul, Peet, Perkins, Pratt, Reed, Reuther,

Rice, Rohlf, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Teale, Tufts, Tuttle, Van Deventer, Van Meter, Van Saun, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 92.

The nays were none.

Absent or excused—

Messrs. Ballinger, Blakely, Booth, Butler, Flenniken, Hanan, and Morrison—Total, 7.

So the bill passed and the title was agreed to.

Mr. McAllister submitted the following report:

MR. SPEAKER—Your Committee on Incorporations, to whom was referred House File No. 22, A bill for an act to amend chapter 65 of the acts of the Thirteenth General Assembly, in relation to streets and alleys, beg leave that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the words “two-thirds” be stricken from section 1 of said bill, and the word “majority” inserted in the place thereof, and with such amendment your committee recommend the passage of said bill.

W. L. McALLISTER, *Chairman*.

Mr. Rohlf from Committee on the Compensation of Public Officers, submitted the following report:

MR. SPEAKER: Your Committee on Compensation of Public Officers to whom was referred H. F. No. 67, A bill for an act in relation to the compensation of members of the General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it be indefinitely postponed.

M. J. ROHLFS, *Chairman*.

Mr. Ellsworth from the Committee on Medical Institutions, submitted the following report:

MR. SPEAKER: Your Committee on Medical Institutions, to whom was referred the petition of Geo. M. Seidlitz, M. D., and numerous others, asking the passage of a law establishing a Professors' Chair of Homœopathy in the State University, beg leave to report that they have had the same under consideration, and have instructed me to report that no legislation is necessary on the subject, from the fact that no particular School of Medicine is ingrafted upon the State University by law: and to grant the prayer of the petitioners would inaugurate the class legislation of which the petitioners complain. Your committee therefore asks to be discharged from the further consideration of the subject.

L. F. ELLSWORTH, *Chairman*.

On motion of Mr. Ellsworth the report was adopted.

Mr. Ellsworth from Special Committee, submitted the following report which was adopted:

MR. SPEAKER: The Special Committee to whom was referred the concurrent resolution from the Senate, beg leave to report that they have had the same under consideration, and have instructed me to report the same back with the recommendation that the House do concur.

L. F. ELLSWORTH, *Chairman.*

By leave Mr. Mills presented a petition from citizens of Cass county protesting against the repeal of the law in regard to railroad tax.

Referred to Committee on Railroads.

Mr. Morrison from committee on Rules submitted the following report:

The Committee on Rules, to whom was referred the accompanying resolution for the creation of a new standing committee on Normal Schools, beg leave to report that they have had the same under consideration, and deem it premature to create a standing committee thereon prior to the establishment of these schools under authority of the State.

JOHN A. KASSON, *Chairman.*  
*For the Committee on Rules.*

Mr. Peet from Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER.—The Committee on Engrossed Bills ask leave to report that they have examined the following bill and find the same correctly engrossed:

House File No. 64, A bill, for an act to facilitate the construction of the Chicago, Clinton, and Dubuque Railroad Company, and to legalize certain acts done by said Company.

C. T. PEET, *Chairman.*

Mr. Bonewitz from Committee on County and Township Organization, submitted the following report:

MR. SPEAKER.—Your Committee on County and Township Organization to whom was referred H. F. No. 70, A bill, for an act empowering Township Trustees to purchase grounds for cemetery purposes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also,

H. F. No. 8, a bill, for an act to amend chapter 54 of the acts of the 13th General Assembly of Iowa, entitled "An act to

provide for the funding of county indebtedness and for the payment thereof," beg leave to report that they have had the same under consideration and have instructed me to report the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

P. G. BONEWITZ, *Chairman.*

#### INTRODUCTION OF BILLS.

Mr. Gear introduced H. F. No. 91, A bill for an act for the taxation of railways and railway property within the limits of this State.

Read a first and second time and referred to Committee on Railroads, and ordered printed.

Mr. Tufts introduced H. F. No. 92, A bill for an act to provide for the election of Railroad Commissioners, and provide for the taxation and the equalization of the tariffs of railroads.

Read a first and second time and referred to Committee on Railroads, and ordered printed.

Mr. Ainsworth introduced H. F. No. 93, A bill for an act to amend chapter 153 of the laws of the 13th General Assembly, in relation to Circuit Courts and juries therein.

Read a first and second time and referred to Committee on Judiciary.

Mr. Campbell introduced H. F. No. 94, A bill for an act to change the mode of electing township trustees.

Read a first and second time and referred to Committee on Elections.

Mr. Clark, of Benton, introduced H. F. No. 95, A bill for an act to amend section 4, chapter 106, laws of the 13th General Assembly.

Read a first and second time and referred to Committee on Ways and Means.

#### MESSAGES ON THE SPEAKER'S TABLE.

The concurrent resolution in regard to furnishing additional copies of White's Geological Reports to the members and officers of the General Assembly, was taken up and considered.

Mr. Hilton moved to substitute three copies for two.

The motion prevailed, and the resolution as amended was adopted.

#### BILLS ON SECOND READING.

H. F. No. 19, A bill for an act authorizing the appointment of deputy county auditors, was taken up and considered.

On motion of Mr. O'Donnell the bill was ordered engrossed and read a third time.

H. F. No. 54, An act to reduce the amount of postage to be allowed to members of the General Assembly, was taken up and considered.

Mr. Pratt moved to amend by striking out the publication clause.

Mr. Campbell moved to amend the amendment by recommitting to the Judiciary Committee.

The motion prevailed.

H. F. No. 23, A bill for an act to legalize the sale by the Auditor of Washington county of, and authorizing the issue of a patent to the purchaser, or his heirs, or assignees, for the ne. qr. of the nw. qr. of sec. 16, Tp. 74, n. of R. 7, w. Washington county, Iowa, was taken up and considered.

Mr. Wilson, of Washington, moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows :

The yeas were :

Messrs. Ainsworth, Appleton, Beatty, of Cedar ; Beatty, of Jasper ; Beresheim, Bergh, Blackman, Blake, Bliss, Bonewitz, Cadwell, Caldwell, Campbell, Cardell, Carver, Clark, of Benton ; Clarke, of Iowa ; Close, Crawford, Danforth, Davis, Davisson, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Hovey, Irish, Johnston, Keables, Leahy, Lee, Litzenberg, McAllister, McClure, McCoy, Merrell, Miller, Mills, Morrison, Newbold, O'Donnell, Paul, Peet, Perkins, Pratt, Reed, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Teale, Tufts, Tuttle, Van Deventer, Van Meter, Van Saun, Whitten, Williams, Wilson, of Keokuk ; Wilson, of Washington ; Wood, of Clay ; Wood, of Story ; Wright, of Mills ; Wright, of Van Buren ; Mr. Speaker—Total 91.

None voted in the negative.

Absent or excused :

Messrs. Ballinger, Blakely, Booth, Butler, Flenniken, Hanan, Kasson, Maxwell—Total 8.

So the bill passed, and the title was agreed to.

Mr. Ellsworth moved that when the House adjourn, it adjourn until two o'clock this afternoon, and that hereafter the House hold two sessions per day.

The motion did not prevail.

On motion of Mr. Williams, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES,  
Des Moines, Iowa, January 27th, 1872. }

House convened pursuant to adjournment.

The Speaker in the Chair.

Prayer by Rev. J. H. Swope.

Journal of yesterday read and approved.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER : I am directed to inform your honorable body that the Senate has passed the following bill and resolution, in which the concurrence of the House is asked :

S. F. No. 51, A bill for an act authorizing the appropriation of money to build bridges.

Also,

Resolution instructing the committees appointed to visit the Deaf and Dumb Asylum, and the Reform School, to inquire into the expediency of providing suitable work-shops for the use of the inmates of those institutions.

I am also directed to inform your honorable body that the Senate has passed without amendment the following resolutions :

Joint resolution relative to the Congressional apportionment bill.

Also,

Concurrent resolution instructing joint committee to visit State University to inquire into the condition of the State Historical Society.

J. A. T. HULL, *Secretary.*

Mr. Van Deventer, submitted the following report, from the Committee on Enrolled Bills :

MR. SPEAKER :—The Committee on Enrolled Bills ask leave to report that they have examined the following bill, and find the same correctly enrolled :

S. F. No. 38, A bill to legalize the incorporation of the Burlington and Northwestern Railway Company.

J. VAN DEVENTER, *Chairman.*

PETITIONS.

Mr. Campbell presented a petition from 600 citizens of Jefferson county, asking for legislation taxing railroads, and regulating freight and passenger tariffs thereon.

Referred to Committee on Railroads.

## REPORTS OF COMMITTEES.

Mr. Kasson, from Committee on Ways and Means, submitted the following report:

MR. SPEAKER:—Your Committee on Ways and Means, to whom was referred H. F. No. 49, A bill for an act to repeal a part of chapter 118, of the acts of the Eleventh General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with an amendment in the form of a substitute, with the recommendation that the substitute do pass.

Also, to report to the House the following facts:

1. The Eleventh General Assembly (chapter 96) ordered twenty thousand copies of the complete laws in pamphlet form, to be printed within fifty days from the time the manuscript was delivered, and that of these, in addition to the general distribution, not less than ten copies should be distributed for each organized township in the State: and two copies to each publisher of a newspaper, and one copy to each county officer, each supervisor, each township trustee, and clerk, and justice of the peace, and constable, and assessor.

2. The Twelfth General Assembly (chapter 31) ordered twenty-three thousand copies, in like manner to be printed within *thirty days* after delivery of the manuscript copy, and to be distributed substantially as before.

3. The Thirteenth General Assembly ordered twenty-three thousand copies of the laws for distribution in the same manner as the Twelfth General Assembly had provided.

4. The cost of this large and gratuitous distribution of the laws in a form to be preserved, was as follows:

In 1866 (estimated).....	\$13,000.00	for 20,000 copies.
In 1868 (reported).....	15,146.03	for 23,000 copies.
In 1870 ".....	15,536 00	for 23,000 copies.

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Total .....\$43,682.03

The amount paid out of the treasury for the publication of the laws in newspapers, for the corresponding years, was as follows:

In 1866.....	\$26,442.65
In 1868.....	47,226.49
In 1870.....	65,034.13

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Total for three sessions.....\$138,703.27



Amount estimated by the Auditor for the same  
 object, if the law continues in force, for the year  
 1872.....\$ 75,000.00

Total for four sessions .....\$213,703.27

In view of the very great and increasing expenditures of the State under chapter 118, referred to, and of the condition of, and claims upon, the State treasury with the present rate of taxation, the committee unanimously recommend the modification of that law in the manner proposed by the substitute reported herewith.

JOHN A. KASSON, *Chairman.*

Mr. Draper submitted the following report:

MR. SPEAKER:—Your Committee on Public Buildings, to whom was referred a joint resolution authorizing the Board of Commissioners of the Iowa Hospital for the Insane at Independence to continue the work on the same, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do pass: *provided, however,* That all expenditures are made in strict conformity with chapter 120 of the acts of the Thirteenth General Assembly, and shall not exceed in amount the sum of ten thousand dollars.

IRA E. DRAPER, *Acting Chairman.*

Mr. Bonewitz, from Committee on County and Township Organization, submitted the following report:

MR. SPEAKER:—Your Committee on County and Township Organization, to whom was referred H. F. No. 33, A bill for an act to authorize county auditors to acknowledge deeds and other instruments in writing, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it be amended by striking out section 2, and as so amended, that it do pass.

P. G. BONEWITZ, *Chairman.*

Mr. Hopkirk from Committee on Roads and Highways, submitted the following report which was referred to Committee of Ways and Means.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred H. F. No. 78, A bill for an act relating to taxes raised for bridge purposes beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it be

referred to the Committee of Ways and Means, as the proper committee to consider it.

WILLIAM HOPKIRK, *Chairman*.

Mr. Peet from Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: The Committee on Engrossed Bills ask leave to report that they have examined the following bills, and find the same correctly engrossed.

H. F. No. 23, A bill for an act, to legalize the sale by the Auditor of Washington county, and authorizing the issue of a patent to the purchaser, or his heirs or assigns, for N. E.  $\frac{1}{4}$  of N. W.  $\frac{1}{4}$ , of section 16, township 74, north of range 7 west, Washington county, Iowa.

Also,

H. F. No. 19, A bill for an act authorizing the appointment of Deputy County Auditors.

C. T. PEET, *Chairman*.

Leave was granted Mr. Hovey to take up the report of the Committee on Public Buildings.

Mr. Hovey moved that amendment to the resolution as recommended by the committee be adopted.

The motion prevailed.

The resolution as amended was then adopted.

#### INTRODUCTION OF BILLS.

Mr. Keables introduced H. F. No. 96, A bill for an act to prevent the manufacture and sale of dangerous illuminating fluids.

Read a first and second time, and referred to Committee on Judiciary.

Mr. Tuttle introduced H. F. No. 97, A bill for an act to protect feeders of stock.

Read a first and second time, and referred to Committee on Agriculture.

Mr. Whitten introduced H. F. No. 98, A bill for an act for the satisfaction of mortgages.

Read a first and second time and referred to Committee on Judiciary.

Mr. Wood of Clay, introduced H. F. No. 99, A bill for an act legalizing the organization of the townships of Silver Lake, and Floyd, in Dickinson county, Iowa.

Read a first and second time, and referred to Committee on County and Township Organization.

Mr. McCoy introduced H. F. No. 100, A bill for an act to legalize the actions of the board of supervisors of Lucas county in

selling school lands in 1866, and authorizing the issuing of patents for the same.

Read a first and second time, and referred to Committee on Schools.

Mr. Wood, of Clay, introduced H. F. No. 101, A bill for an act prohibiting clerks and deputy clerks of district and circuit courts practicing as attorneys or solicitors in said courts, and prohibiting their holding the office of justice of the peace.

Read a first and second time, and referred to Committee on Judiciary.

#### RESOLUTION.

Mr. Goodspeed offered the following resolution, which was adopted:

*Resolved*, That the Committee on Compensation of Public Officers is hereby instructed to inquire into the propriety of making a more equal distribution of labor and compensation in the various county offices in this State, to the end that the county recorder, in particular, shall have more labor to perform, and an increase of compensation; and said committee is requested, if in the judgment of the committee, such a change is desirable, to report a bill to this House making provision for the proposed change.

#### MESSAGES ON THE SPEAKER'S TABLE.

Senate File No. 51, A bill for an act authorizing the appropriation of money to build bridges, was taken up.

Read a first and second time, and, on motion of Mr. Hall, was referred to Committee on Roads and Highways.

The concurrent resolution instructing the committees visiting the Institution for the Deaf and Dumb at Council Bluffs, and Reform School, in Lee county, to inquire into the expediency of establishing workshops therein, was taken up and considered.

On motion of Mr. Newbold, the House concurred in the resolution.

#### BILLS ON SECOND READING.

On motion of Mr. Clark, of Benton, H. F. No. 49, A bill for an act authorizing incorporated towns to appropriate a certain portion of the road tax to aid in the construction and repair of roads leading thereto, was taken up and considered.

Mr. Leahy moved to re-commit to Committee on Roads and Highways, with instructions to enquire into the expediency of extending the aid to within more than two miles of towns named therein.

The motion prevailed.

H. F. No. 47, A bill for an act to legalize the incorporation of the Burlington & Northwestern Railway Company, was taken up, and on motion of Mr. Gear, was indefinitely postponed.

Mr. Van Deventer, from Committee on Enrolled Bills, submitted the following report:

Mr. SPEAKER—Your Committee on Enrolled Bills respectfully report they have this day presented to the Governor for his approval the following bill, viz. :

Senate File No. 38, An act legalizing the incorporation of the Burlington & Northwestern Railway Company.

J. VAN DEVENTER, *Chairman.*

H. F. No. 15, A bill for an act to amend the acts granting tax to aid railroads, was taken up, and on motion of Mr. Pratt, was indefinitely postponed.

H. F. No. 16, A bill for an act to prescribe the time and manner of collection of taxes voted in aid of railroads, was taken up and considered.

Mr. Hall offered a substitute, which was not adopted.

Mr. Leahy moved that the bill be referred to the Judiciary Committee and ordered printed, and made the special order for next Tuesday at ten o'clock.

The motion did not prevail.

On motion of Mr. Irish, the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
Des Moines, Iowa, January 29th, 1872. }

House convened pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. H. S. Cook.

Journal of Saturday read and approved.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked:

Senate file No. 68, A bill for an act to legalize the acts of Wm.

H. Price, as auditor of Carroll county, Iowa, in taking and certifying acknowledgments to certain school-fund mortgages and other conveyances of real estate.

I am also directed to inform your honorable body that the Senate has concurred in the House amendments to Senate joint resolution in relation to continuing work on the Insane Asylum at Independence.

J. A. T. HULL, *Secretary.*

Mr. Van Deventer, from Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—Your Committee on Enrolled Bills ask leave to report that they have examined the following resolution and find the same correctly enrolled:

Joint resolution authorizing the Board of Commissioners of the Iowa Hospital for the Insane at Independence to continue work on the same.

J. VAN DEVENTER, *Chairman.*

The question recurring on H. F. No. 16, "An act to prescribe the time and manner of collection of taxes voted in aid of railroads."

Mr. Hall moved to amend by adding an additional section, number three, as follows:

*Be it further enacted*, That chapter 48 of the Twelfth General Assembly, and chapter 102 of the Thirteenth General Assembly, be and the same are hereby repealed: *Provided*, That this repeal shall not affect any tax heretofore voted, nor prevent the collection thereof, at the times and in the manner heretofore set forth.

Mr. Van Saun moved to amend the amendment by substituting a new bill as follows.

Substitute for H. F. No. 16: A bill for an act to regulate taxes and the collection thereof, voted to aid in the construction of railroads.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the county treasurers are hereby prohibited from collecting any tax which has been or may hereafter be voted in aid of the construction of any railroad under chapter one hundred and two, of the acts of the Thirteenth General Assembly, by the people of any township, incorporated town or city, contrary to or in violation of the terms or provisions of any special reservation or condition inserted in the notices calling an election, or contrary to any contract, agreement, or stipulation, in writing, made between the company and the township, town, or city authorities for the benefit of the people, or contrary to resolutions or inducements, in writing, extended to the people, before or after having voted said aid, nor shall any such taxes become due, bear interest, become delinquent, collectible, or payable, contrary to any such provision,

special reservation, condition, resolution, inducement, contract, agreement, or stipulation in writing.

SEC. 2. That a certified copy, made by the trustees, or proper officers of any township, incorporated city, or town, of any such special reservation, condition, resolution, inducement, contract, agreement, or stipulation in writing, shall be notice of the matters therein contained to such treasurer, and he shall take due notice, and be governed accordingly.

SEC. 3. That all taxes now levied, or that may hereafter be levied, under the provisions of chapter forty-eight of the acts of the Twelfth General Assembly, and also under the provisions of chapter one hundred and two of the acts of the Thirteenth General Assembly of the State of Iowa, shall draw no interest, be subject to no penalty, nor shall the property upon which such taxes are now or hereafter may be levied, be sold for said taxes until the railroad company shall be entitled to receive said taxes under the provisions of the aforesaid acts.

SEC. 4. If taxes, levied under the provisions of chapter one hundred and two of the acts of the thirteenth General Assembly, become a part of the consolidated tax provided for in section one of chapter one hundred and thirty-eight of the acts of the Thirteenth General Assembly, the tax-payer may pay the full amount of any county, State, school, or other tax ; and it shall be the duty of the county treasurer to give a separate receipt therefor.

SEC. 5. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Daily State Register, and State Leader, newspapers published at Des Moines, Iowa.

Mr. Leahy moved to recommit to Committee on Judiciary.

The motion did not prevail.

The motion to amend the amendment by substituting did not prevail.

Mr. Campbell moved to amend the amendment by adding an additional section four as follows :

Section 4, amend by adding: "Sec. 1. No proceeding to enforce the collection of any such tax shall be taken by any county treasurer or other officer until the county auditor shall have certified to said treasurer that all such conditions as are referred to in the — section of this act have been fully complied with; and before issuing any such certificate, the county auditor shall give notice by publication in a newspaper published in the county, if there be any such newspaper, and also by posting at least ten written or printed notices in the most public places in each of the townships in which any such tax has been assessed, that on a day to be named, not less than three weeks after such publication, he will at his office hear all parties interested in the premises."

The amendment to the amendment did not prevail.

Mr. Hewett moved to amend the amendment by adding as follows: This act shall take effect and be in force on and after January 1st, 1873.

The motion did not prevail.

Leave of absence was granted Messrs. Heberling, Rohlf, Dumont, Irish, Perkins, Wilson of Washington, and Duncombe.

Mr. Leahy moved that the repeal should not affect any tax heretofore voted, nor prevent the collection thereof, be stricken out.

This motion did not prevail.

Mr. Leahy moved to strike out the publication clause.

The motion did not prevail.

Mr. Leahy offered the following amendment to the amendment:

*Provided*, The repeal of chapter 48, 12th General Assembly, and chapter 102, of the 13th General Assembly, shall not take effect until July 1st, 1872.

The amendment to the amendment was adopted.

The question being upon the amendment, Mr. Blackman demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Appleton, Ballinger, Beatty, of Cedar; Beatty of Jasper; Beresheim, Blake, Bliss, Bonewitz, Butler, Caldwell, Campbell, Cardell, Carver, Clarke, of Iowa; Crawford, Danforth, Davis, Davisson, Day, Duncan, Durham, Ellsworth, Evans, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Hilton, Hopkirk, Hovey, Johnston, Kasson, Lee, Litzenberg, McAllister, McClure, Merrell, Miller, Mills, Morrison, Newbold, O'Donnell, Paul, Pratt, Reed, Rice, Rule, Stewart, Struthers, Tasker, Tufts, Van Deventer, Van Meter, Whitten, Wilson, of Keokuk; Wood, of Clay; and Wright, of VanBuren.—Total, 59.

The nays were—

Messrs. Ainsworth, Blackman, Cadwell, Clark of Benton; Close, Dayton, Ericson, Flenniken, Hewett, Leahy, Maxwell, McCoy, Peet, Reuther, Sandry, Schweer, Secor, Skillin, Stedman, Stow, Teale, Tuttle, Van Sann, Williams, Wood of Story; Wright, of Mills, and Mr. Speaker.—Total, 27.

Absent—

Messrs. Bergh, Blakely, Booth, Draper, Dumont, Duncombe, Hanan, Heberling, Irish, Keables, Perkins, Rohlf, and Wilson of Washington.—Total, 13.

So the amendment was adopted.

Mr. Kasson moved to amend as follows:

And *Provided further*, that no township or city which shall have heretofore voted one tax, in aid of any railrord shall again vote another tax in aid of the same or any other railroad.

The motion prevailed.

The bill was ordered to be engrossed, and read a third time.

Mr. Merrell moved that the rule be suspended, the bill be considered engrossed, and read a third time now.



The motion prevailed, and the bill was read a third time.

Upon the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blake, Bliss, Bonewitz, Cadwell, Caldwell, Campbell, Cardell, Carver, Clarke, of Iowa; Crawford, Danforth, Davis, Davisson, Day, Dayton, Duncan, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Hilton, Hopkirk, Hovey, Johnston, Kasson, Lee, Litzenberg, McAllister, McClure, McCoy, Merrell, Miller, Mills, Morrison, Newbold, O'Donnell, Paul, Peet, Pratt, Reed, Renter, Rice, Rule, Sandry, Schweer, Skillin, Stewart, Stow, Struthers, Tasker, Teale, Tufts, Van Deventer, Van Meter, Van Saun, Whitten, Wilson, of Keokuk; Wood, of Clay; Wood, of Story, Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total 76.

The nays were—

Messrs. Blackman, Butler, Clark, of Benton; Hewett, Leahy, Maxwell, Secor, Stedman, Tuttle, and Williams—Total, 10.

Absent or not voting—

Messrs. Blakely, Booth, Close, Draper, Dumont, Duncombe, Hanan, Heberling, Irish, Keables, Perkins, Rohlf, and Wilson, of Washington.—Total, 13.

So the bill passed and the title was agreed to.

Mr. Hall offered the following amendment to the title:

An act presenting the time when taxes voted in aid of railroads shall become due, payable and collectible, and to repeal chapter 48, of the acts of the Twelfth General Assembly, and chapter 102 of the acts of the Thirteenth General Assembly.

The amendment was adopted and the title was agreed to.

Leave granted Mr. Kasson, from the Committee on Ways and Means, to introduce H. F. No. 102, A bill for an act to appropriate certain moneys for the payment of the temporary officers of the Fourteenth General Assembly, and for postage.

Read a first and second time.

On motion of Mr. Durham, J. C. Donnell, Doorkeeper *pro tem* was added to the list for two days' service.

The bill was ordered engrossed and read a third time.

By leave Mr. Hall offered the following resolution which was adopted.

*Resolved*, That the clerk be directed to furnish the members with printed lists containing the number and title of all bills heretofore introduced, by whom introduced, and to what committee referred, and that hereafter he furnish such lists of bills introduced at least twice each week.

By leave Mr. Paul offered the following resolution, which was not adopted:

*Resolved*, By the House, the Senate concurring, that Wm. G. Hammond be authorized to superintend the publication and printing of parts first and second of the code during the recess of the General Assembly.

Leave was granted Mr. Ellsworth to call up H. F. 49, with substitute and report, which was ordered printed.

By leave Mr. Caldwell offered the following resolution :

*Resolved by the House of Representatives, the Senate concurring*, That the Secretary of State is hereby instructed to have printed four thousand additional copies of the report of the Capital Commissioners. (This being an addition to the one thousand authorized by law.)

Mr. Beresheim moved to strike out four thousand and insert two thousand.

The motion prevailed.

The resolution as amended was not adopted.

#### PETITIONS.

Mr. Beresheim presented a petition in relation to the canvas of votes at elections, which was referred to the Committee on Elections.

On Motion of Mr. Morrison the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, January 30th, 1872. }

The House convened pursuant to adjournment.

Prayer by Rev. A. I. Craigler.

Journal of yesterday read and approved.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER.—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked :

S. F. No. 40, A bill for an act to regulate taxes and the collection thereof, voted to aid in the construction of railroads.

J. A. T. HULL, *Secretary*.

Mr. Leahy rose to a question of privilege and offered the following protest to the action of the House on H. F. No. 16, and asked that the same be spread upon the Journal :

The undersigned takes the liberty to dissent from the action of the House, on H. F. No. 16, so far as it pertains to the repeal of chapter 102, laws of the 13th General Assembly, and in support of his position offers the following reasons:

1st. A number of municipal corporations have raised money under the provisions of said act, and invested the same in railroad enterprises, with the understanding that other municipalities along the proposed railway line would lend their aid in a similar manner to the construction of such railway. The abrupt repeal of said act will prevent many of those corporations from furnishing the promised assistance, their mutual railroad project must be abandoned, and the means already invested will be a total loss.

2d. Many of our citizens also have invested their capital in railroad enterprises under the inducement presented of aid voted, and to be voted, under the provisions of said law, by municipal corporations. The sudden repeal of said act will deprive those citizens of the promised support, compel them to abandon work already begun, and jeopardize, if not render a total loss, to capital invested.

Although it seems quite clear that such a law ought not to have found a place on our statute book, yet having been made the law of the State by two successive General Assemblies and sanctioned by its highest judicial tribunal, those of our citizens who, confiding in the wisdom of the Legislature and the judiciary, have proceeded in conformity with the provisions of said act, and who have been induced thereby to make large outlays of capital, ought not to be subjected to serious pecuniary losses by its sudden repeal.

M. H. LEAHY,  
*Franklin county.*

Leave was granted to Messrs. Rohlf, Wilson, of Washington, Irish, Keables, and Draper to vote aye on House File No. 16, and to Mr. Perkins to vote nay.

#### PETITIONS.

Mr. Keables presented the petition of Geo. M. Hammond and others, of Marion county, to exempt capital invested in machinery from taxes.

Referred to Committee on Domestic Manufactures.

Mr. Wood, of Clay, presented a petition from citizens of Dickinson county in regard to legalizing the organization of certain townships.

Referred to Committee on County and Township Organization.

Mr. Gear presented a petition in regard to the game law.

Referred to Committee on Agriculture.

Mr. Day presented a petition from citizens of Muscatine county, asking for the abolishing of the office of county superintendent.

Referred to Committee on Schools.

Mr. Bergh presented a petition in regard to the satisfaction of mortgages.

Referred to Committee on Judiciary.

Mr. Van Deventer presented the petition of E. R. Mullett and others on the subject of dentistry.

Referred to Committee on Medical Institutions.

Mr. Van Deventer from Committee on Enrolled Bills submitted the following report :

MR. SPEAKER.—The Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following joint resolution, viz :

Joint Resolution authorizing the Board of Commissioners of the Iowa Hospital for the Insane, at Independence, to continue work on the same.

J. VAN DEVENTER, *Chairman.*

Mr. Butler from Committee on Police Regulations submitted the following report :

MR. SPEAKER.—Your Committee on Police Regulations to whom was referred House File No. 86, A bill, for an act to amend chapter 61 of the Revision of 1860, regulating fences, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

WM. BUTLER, *Chairman.*

Mr. Hovey from Committee on Insane Asylum submitted the following report which was referred to Committee on Claims :

MR. SPEAKER.—Your Committee on Insane Asylum to whom was referred the memorial of William Branagan asking relief for money lost on contract for furnishing boilers for the Insane Asylum at Mount Pleasant, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be referred to the Committee on claims.

J. M. HOVEY, *Chairman.*

Mr. Hopkirk from Committee on Roads and Highways submitted the following report :

MR. SPEAKER.—Your Committee on Roads and Highways to

whom was referred Senate File No. 51, A bill for an act authorizing the appropriation of money to build bridges, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

WILLIAM HOPKIRK, *Chairman.*

Mr. Close moved to take up Senate File No. 51, An act authorizing the appropriation of money to build bridges.

The motion prevailed, and the bill was taken up, ordered engrossed and read a third time.

Mr. Irish moved that the rule be suspended, the bill be considered engrossed and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question shall the bill pass, the ayes and nays were as follows.

The yeas were—

Messrs. Ainsworth, Appleton, Beatty of Cedar; Beresheim, Bergh, Blackman, Blake, Bliss, Butler, Cadwell, Caldwell, Campbell, Cardell, Carver, Clark of Benton; Clarke of Iowa; Close, Crawford, Davis, Davisson, Day, Dayton, Dumont, Duncan, Ellsworth, Ericson, Evans, Flenniken, Gear, Green, Hall, Hanson, Hewitt, Hopkirk, Hovey, Irish, Johnson, Kasson; Leahy, Lee, Litzenberg, Maxwell, McAllister, Merrell, Miller, Mills, Morrison, Newbold, O'Donnell, Paul, Peet, Perkins, Pratt, Reuther, Rice, Rohls, Rule, Sandry, Secor, Skillin, Stedman, Stow, Struthers, Van Deventer, Van Saun, Williams, Wilson of Keokuk; Wood of Clay; and Mr. Speaker—Total, 69.

The nays were—

Messrs. Ballinger, Beatty of Jasper; Blakely, Bonewitz, Danforth, Draper, Durham, Freeman, Goodspeed, Hilton, Keables, McCoy, Reed, Schweer, Stewart, Tasker, Teal, Tufts, Van Meter, Whitten, Wilson of Washington; Wood of Story; Wright of Mills; Wright of Van Buren—Total, 24.

Absent or excused—

Messrs. Booth, Duncombe, Hanan, Heberling, McClure, and Tuttle—Total 6.

So the bill passed and the title was agreed to.

Mr. Hopkirk presented the following report from the Committee on Roads and Highways:

MR. SPEAKER—Your Committee on Roads and Highways, to whom was referred House File, No. 79, A bill for an act to amend section 828 of chapter 469 of the Revision of 1860, and repeal section 829 of said chapter, fixing the time for road commissioners to report, beg leave to report that they have had the same under

consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

WILLIAM HOPKIRK, *Chairman.*

Mr. Pratt, from Judiciary Committee, submitted the following report:

MR. SPEAKER—Your Committee on Judiciary, to whom was referred Resolution No. 28, That the Committee on Judiciary be and are hereby instructed to report a bill providing for the abolition of the circuit court, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

H. O. PRATT, *Chairman.*

Mr. Kasson, from Committee on Ways and Means, submitted the following report:

MR. SPEAKER—Your Committee on Ways and Means, to whom was referred House File No. 87, A bill for an act appropriating \$10,000 to aid in the completion of the Washington National Monument, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

JOHN A. KASSON, *Chairman.*

Mr. Goodspeed, from the Committee on Horticulture, submitted the following report:

MR. SPEAKER—Your Committee on Horticulture, to whom was referred House File No. 62, being a bill for an act for the encouragement of horticulture and forestry, respectfully report that they have had the same under consideration, and have instructed me to report the same back to the House with the unanimous recommendation that the bill do pass.

M. GOODSPEED, *Chairman.*

Mr. Pratt, from Committee on Judiciary, submitted the following report:

MR. SPEAKER—Your Committee on Judiciary, to whom was referred House File No. 80, A bill for an act for the prevention of crime and for the punishment thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be considered by a committee of the whole House.

H. O. PRATT, *Chairman.*

MR. SPEAKER—Your Committee on Judiciary to whom was referred H. F. No. 54, A bill for an act to reduce the amount of postage to be allowed to members of the General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be referred to the Committee on the Compensation of Public Officers, as the appropriate committee to consider and report upon the same.

H. O. PRATT, *Chairman*.

Mr. Kasson moved to take up H. F. No. 54.

Motion did not prevail.

MR. SPEAKER—Your Committee on Judiciary to whom was referred H. F. No. 96, A bill for an act to prevent the manufacture and sale of dangerous illuminating fluids, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be referred to the Committee on Police Regulations, as the appropriate committee to consider and report upon the subject matter thereof.

H. O. PRATT, *Chairman*.

MR. SPEAKER—Your Committee on Judiciary to whom was referred H. F. No. 74, A bill for an act to amend section 1103 of the Revision of 1860, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

H. O. PRATT, *Chairman*.

MR. SPEAKER—Your Committee on Judiciary to whom was referred H. F. No. 93, A bill for an act to amend chapter 153 of the acts of the Thirteenth General Assembly, in relation to Circuit Courts and juries therein, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be amended by striking out the second section of said bill. And your committee recommend that said bill be further amended by adding thereto the following section, to-wit :

SEC. 2. This act being deemed of immediate importance shall be in force from and after publication in the Daily Iowa State Register and Daily Iowa State Leader, newspapers published in Des Moines, Iowa.

And when so amended, your committee recommend the passage of the bill.

H. O. PRATT, *Chairman*.

MR. SPEAKER—Your Committee on Judiciary to whom was



referred H. F. No. 101, A bill for an act prohibiting clerks and deputy clerks of the District Courts practicing as attorneys or solicitors in said courts, and prohibiting their holding the office of Justice of the Peace, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

H. O. PRATT, *Chairman.*

MR. SPEAKER—Your Committee on Judiciary to whom was referred H. F. No. 7, A bill for an act to protect the makers of promissory notes and other negotiable instruments from fraud, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

H. O. PRATT, *Chairman.*

Leave was granted Mr. Clark, of Benton, to call up H. F. No. 40, A bill for an act to authorize incorporated towns to appropriate a portion of their road tax to aid in the construction and repair of roads leading thereto. The bill was taken up and considered.

The amendment recommended by the committee was adopted, and the bill was ordered engrossed and read a third time.

Mr. Clark, of Benton, moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed and the bill was read a third time.

Upon the question, "Shall the bill pass?" the yeas and nays were as follows—

The yeas were:

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Blackman, Blake, Blakely, Bliss, Bonewitz, Butler, Cadwell, Caldwell, Campbell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Davisson, Day, Dayton, Draper, Dumont, Duncan, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Hewett, Hilton, Hopkirk, Hovey, Irish, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Miller, Mills, Morrison, Newhold, O'Donnell, Paul, Peet, Perkins, Pratt, Reed, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Teale, Tufts, Van Deventer, Van Meter, Van Saun, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story, Wright, of Mills; Wright, of Van Buren. and Mr. Speaker—93.

The nays was Mr. Bergh—1.

Absent or excused:

Messrs. Booth, Duncombe, Hanan, Heberling, and Tuttle—Total, 5.

So the bill passed and the title was agreed to.

Mr. Ellsworth asked leave to take up H. F. No. 7, an act to protect the makers of promissory notes and other negotiable instruments from fraud, which on motion was referred, with accompanying substitute, to Committee on Judiciary.

By leave, Mr. Beresheim offered the following resolution, which was adopted :

Joint resolution relating to the terminus of the Union Pacific Railroad, and the violation of its charter by actions of the Union Pacific Railroad Company.

WHEREAS, The charter of the Union Pacific Railroad Company makes the terminus of that road in the State of Iowa, and provides the ways and means for making its connections with Iowa railroads in Iowa; and,

WHEREAS, The Union Pacific Railroad Company has entered into an agreement with the city of Council Bluffs, in the State of Iowa, to make its transfer of passengers and freight with its connecting roads in the city of Council Bluffs, in the aforesaid State; and

WHEREAS, The city of Council Bluffs has performed her part of said agreement—up to this time issuing bonds, procuring right of way, etc.; and,

WHEREAS, It is alleged and believed, that the Union Pacific Railroad Company has entered into agreements in violation of her charter, the law, the rights of the State of Iowa, and her agreement with the city of Council Bluffs—all to the great detriment of said city of Council Bluffs, and the State of Iowa; therefore,

*Be it resolved by the General Assembly of the State of Iowa,* That our senators be instructed, and our representatives in Congress requested, to take such measures as will cause the Union Pacific Railroad Company to comply with her charter, the law, and her agreements made with any city of Iowa; that the Secretary of State is hereby requested to forward a copy of these resolutions to each of our senators and representatives in Congress, and the board of directors of the Union Pacific Railroad Company.

Leave was granted Mr. Teale to introduce H. F. 103, A bill for an act for the suppression of intemperance.

Read a first and second time, and referred to Committee on the Suppression of Intemperance, and ordered printed.

Leave was granted Mr. Caldwell to introduce H. F. 104, A bill for an act to amend section 35, chapter 167, acts of the Thirteenth General Assembly, and to re-enact section 2742 of Code of 1860.

Read a first and second time, and referred to Committee on Judiciary.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following concurrent resolution in which the concurrence of the House is asked :

Resolution inviting the commissioners, under chapter 75 of the Thirteenth General Assembly, to superintend the printing of their report.

C. V. GARDNER, *Assistant Secretary.*

Mr. Kasson moved to reconsider the vote by which H. F. No. 102 was ordered engrossed, and read a third time.

The motion prevailed.

The bill was taken up and considered.

Mr. Beresheim moved to amend that portion of the bill which relates to paper-folders and janitors by striking out “four dollars,” and inserting “three dollars.”

Mr. Reed moved to amend the amendment by striking out “janitors.”

The motion did not prevail.

The motion to strike out “four” and insert “three” did not prevail.

Mr. Danforth moved to amend by allowing the messengers two dollars per day.

The motion prevailed.

Mr. Kasson moved that the following amendment be added to section 2 :

*Provided*, That from and after the passage of this act, the amount of postage to be delivered to any member of the House of Representatives shall not exceed one dollar and fifty cents per week.

Mr. Peet moved to amend the amendment by striking out “this House,” and inserting “the General Assembly.”

## MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER : I am directed to inform your honorable body that the Senate has passed the following bill without amendments :

Substitute for H. F. No. 1, A bill for an act authorizing the appointment of a Commissioner, to examine and report upon the losses of settlers and claimants upon Des Moines River Lands, on account of failure of title, and providing for applying to Congress for relief.

W. L. VESTAL, *First Ass't Secretary.*

MR. SPEAKER : I am directed to inform your honorable body that the Senate has passed the following bill without amendment :

H. F. No. 64, A bill for an act to facilitate the construction of the Chicago, Clinton, & Dubuque Railroad, and to legalize the acts of said Company, and the change of name from the Dubuque, Bellevue, & Mississippi Railway Company, and for other purposes.

W. L. VESTAL, *First Ass't Secretary*.

Mr. Kasson moved the previous question, which was not ordered.

Mr. Wood of Clay, moved that this House do now adjourn.

The motion did not prevail.

After further discussion on motion of Mr. Keables, the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, January 31, 1872. }

House convened pursuant to adjournment.

The Speaker in the chair.

Prayer by Hon. — Blakely.

The Journal of yesterday read and approved.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following bills and resolutions, in which the concurrence of the House is asked:

S. F. No. 20, A bill for an act to amend section 2524 of the Revision of 1860.

Substitute for S. F. No. 1, A bill for an act to repeal an act entitled an act to enable townships and incorporated towns and cities to aid in the construction of railroads, passed March 29th, 1868, being chapter 48, acts of the Twelfth General Assembly.

Also, to repeal an act entitled an act to enable townships, incorporated towns, and cities, to aid in the construction of railroads, approved April 12th, 1870, being chapter 102, acts of the Thirteenth General Assembly.

Also, resolution relative to translating the bi-ennial message of the Governor and the inaugural address.

Also, the report of the joint committee on best method of considering the Revisor.

All of which is respectfully submitted.

I am also directed to inform your honorable body that the Senate has passed the following bills and joint resolutions:

H. F. No. 23, A bill for an act to legalize the sale by the Auditor of Washington county, and authorize the issue of a patent to the purchaser or his assignees, for the ne qr of the nw qr of sec. 16, in tp. 74, north of range 7, west, Washington county, Iowa.

Joint resolution relating to the terminus of the Union Pacific Railroad and the violation of its charter by actions of the Union Pacific Railroad Company.

Joint resolution in relation to an increase of pension for Charlotte D. Crocker.

All of which passed the Senate without amendment.

J. A. T. HULL, *Secretary*.

Mr. Van Deventer submitted the following report:

MR. SPEAKER—The Committee on Enrolled Bills ask leave to report that they have examined the following bills and find the same correctly enrolled.

S. F. No. 51, A bill for an act authorizing the appropriation of money to build bridges.

Substitute for H. F. No. 1, A bill for an act authorizing the appointment of a commission to examine and report upon the losses of settlers and claimants upon Des Moines river lands on account of failure of title, and providing for applying to Congress for relief.

Also H. F. No. 64, A bill for an act to facilitate the construction of the Chicago, Clinton, and Dubuque Railroad and to legalize the acts of said company and the change of name from the Dubuque, Bellevue, and Mississippi Railway Company, and for other purposes.

J. VANDEVENTER, *Chairman*.

Mr. Caldwell, by leave of the House, called up S. F. No. 60, A bill for an act to regulate taxes and the collection thereof voted in aid of railroads.

Mr. Kasson moved to amend as follows:

*Provided*, That taxes voted and levied in aid of any railroad under provisions of said chapter 102, and when the work on said railroad shall have been abandoned or suspended for not less than one year, shall not be collected until said road shall be constructed, and if the roads be not completed in the county where the tax is levied within two years from such suspension of work thereon, said such vote and levy of taxes shall become void.

The motion to amend did not prevail.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body

that the Senate has passed the following joint resolution, in which the concurrence of the House is asked :

Joint resolution in relation to the terminus of the Union Pacific Railroad.

Also,

Joint resolution in relation to water communication between the Mississippi river and Lake Michigan.

(A copy of the joint resolution is herewith transmitted )

W. L. VESTAL, *First Assistant Secretary.*

Mr. Caldwell moved that the rules be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed, and the bill was read a third time.

Upon the question "Shall the bill pass?" the ayes and nays were as follows :

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Blakely, Bliss, Bonewitz, Cadwell, Caldwell, Campbell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Davisson, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Hewett, Hilton, Hopkirk, Hovey, Irish, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Miller, Mills, Morrison, Newbold, O'Donnell, Paul, Peet, Perkins, Pratt, Reed, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Teale, Tufts, Tuttle, Van Deventer, Van Meter, Van Saun, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 92.

The nays were—

Messrs. Hall and McCoy—Total, 2.

Absent or excused—

Messrs. Booth, Butler, Hanan, Heberling, and Wood, of Story—Total, 5.

So the bill passed, and the title was agreed to.

Mr. Beresheim by leave of the House, called up the joint resolution in relation to the action of the Union Pacific Railroad Company.

On motion of Mr. Beresheim, the resolution was adopted.

Mr. Ainsworth moved to take up Senate message.

Motion did not prevail.

Mr. Hall moved to take up Senate File No. 1.

Motion did not prevail.

## UNFINISHED BUSINESS OF YESTERDAY.

Consideration of H. F. No. 102. The question recurring on the amendment to the amendment offered by Mr. Peet, the same was adopted.

The question recurring on the amendment offered by Mr. Kasson. Mr. Green demanded the yeas and nays, which were as follows:

The yeas were :

Messrs. Beatty, of Jasper; Bereshiem, Blakely, Cadwell, Campbell, Cardell, Carver, Clarke of Iowa; Close, Danforth, Davis, Davisson, Day, Draper, Duncan, Ellsworth, Ericson, Evans, Goodspeed, Hanson, Hopkirk, Johnston, Kasson, Leahy, Lee, Maxwell, McAllister, McCoy, Miller, Mills, Newbold, Peet, Pratt, Stedman, Teale, Tufts, Van Meter, Van Saun, Whitten, Wilson, of Washington; Wood, of Story; and Mr. Speaker—Total 41.

The nays were :

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Bergh, Blackman, Blake, Bliss, Bonewitz, Caldwell, Clark, of Benton; Crawford, Dayton, Dumont, Duncombe, Durham, Flenniken, Freeman, Gear, Green, Hall, Hewett, Hilton, Hovey, Irish, Keables, Litzenberg, McClure, Merrell, Morrison, O'Donnell, Paul, Perkins, Reed, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Skillin, Stewart, Stow, Struthers, Tasker, Tuttle, VanDeventer, Williams, Wilson, of Keokuk; Wood, of Clay; Wright, of Mills; and Wright, of Van Buren—Total 53.

Absent or excused :

Messrs. Booth, Butler, Hanan, and Heberling—Total 4.

So the motion to amend did not prevail.

Mr. Kasson moved that the rule be suspended, the bill considered engrossed and read a third time now.

The motion prevailed and the bill was read a third time.

Upon the question shall the bill pass, the ayes and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Blakely, Bliss, Bonewitz, Cadwell, Caldwell, Campbell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Davisson, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Hewett, Hilton, Hopkirk, Hovey, Irish, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, McAllister, McClure, McCoy, Merrell, Miller, Mills, Morrison, Newbold, O'Donnell, Paul, Peet, Perkins, Pratt, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Teale, Tufts, Tuttle, Van Deventer, Van



Meter, Van Sann, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker--Total 92.

Absent or excused—

Messrs. Booth, Butler, Hanan, Heberling, Maxwell, Reed, and Wood, of Story—Total 7.

So the bill passed and the title was agreed to.

The Speaker announced as Committee on the part of the House, as called for by the joint resolution in regard to the Union Pacific Railroad, Messrs. Beresheim, Gear, and Duncombe.

Mr. Ainsworth moved to take up the joint resolution in relation to water navigation between the Mississippi river and Lake Michigan.

The motion prevailed.

The joint resolution was concurred in.

Leave was granted to Mr. O'Donnell to offer the following resolution.

*Joint Resolution to Congress in relation to the Niagara Ship Canal:*

WHEREAS, In order to secure control of the provision markets of Western Europe, as also to reduce the enormous and ruinous costs of transit of the agricultural products of the West to the eastern markets, it has become an imperative necessity to open up other and competing routes to those already existing and more especially from the foot of Lake Erie to the Atlantic ocean; and

WHEREAS, A movement has been inaugurated by the late Commercial Convention held at Detroit, in the State of Michigan, on the 13th day of December last, sanctioned and endorsed by the legislatures of Illinois, Michigan, Wisconsin, Minnesota, Nebraska, and Kansas, as also by several of the New England States, requesting Congress to assist in this enterprise by making an appropriation adequate to the work for the construction of a ship canal around the Falls of Niagara, on the American side; and

WHEREAS, The people of Iowa have ever taken a deep and abiding interest in all measures and enterprises the object of which is to facilitate intercommunication between all parts and portions of our country, thereby materially reducing the cost and charges of transit for our vast and rapidly increasing agricultural interests whereby their value will be greatly enhanced; therefore be it

*Resolved by the General Assembly of the State of Iowa, That our Senators in Congress are instructed and our Representatives requested to use their best efforts to secure appropriations for the construction of said canal as shall secure its immediate commencement and early completion.*

*Resolved, That the Secretary of State be instructed to forward*

copies of these resolutions to each of our Senators and members in Congress.

Mr. Teale moved to refer the resolution to Committee on Federal Relations.

The motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER: I am directed to inform your honorable body, that the Senate has passed the following bill without amendment :

H. F. No. 29, "A bill for an act to legalize certain acts of the City of Clinton, Iowa."

W. L. VESTAL, *First Ass't Secretary*.

By leave Mr. Davis introduced H. F. No. 105, A bill for an act to tax vendors of patent rights, and to regulate the negotiability of promissory notes, and other writings given therefor.

Read a first and second time, and referred to Committee on Commerce, and ordered printed.

Leave was granted Mr. Hull to take up substitute for S. F. No. 1, A bill for an act to repeal an act, entitled an act, to enable townships and incorporated cities to vote a tax in aid of railroads, &c.

Mr. Litzenberg moved to reconsider the motion, by which the joint resolution in regard to ship canal around the Niagara Falls, was referred to Committee on Federal Relations.

Mr. Morrison moved to lay the motion on the table.

The motion prevailed.

The bill was read a first and second time.

Mr. Kasson moved to amend as follows :

*And provided further*, That taxes heretofore voted and not collected in aid of any railroad, under the provisions of said chapter 102, where the work on such railroad shall have thereafter been abandoned, or suspended for not less than one year, shall not be collected until said road shall have been completed : and if the road shall not be completed within the county where the tax is levied, within two years from such abandonment or suspension of work thereon, such vote and levy of taxes shall become void.

Mr. Duncombe moved to amend the amendment as follows :

*Resolved*, That all taxes which shall be voted prior to the taking effect of this act shall be levied, collected and appropriated, as provided by said chapter 102, of the acts of the Thirteenth General Assembly.

The amendment to the amendment was adopted.

The amendment was then adopted.

Mr. Irish moved to amend by adding an additional section, as follows :

Sec. 2. "In the absence of special agreement to that effect between the people and the corporation, to aid which taxes have been voted under chap. 102, of acts of Thirteenth General Assembly, taxes so voted, or to be voted, shall not become delinquent until such corporations shall have constructed their roads to the townships voting the tax, and have their cars running to the same.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the house is asked:

Senate File No. 49, A bill for an act giving the consent of the legislature of the State of Iowa to the purchase of the United States of certain real estate.

W. L. VESTAL, *First Ass't Secretary*.

Mr. Van Deventer from Committee on Enrolled bills submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bills, viz:

Senate File No. 51, An act authorizing the appropriation of money to build bridges.

Also, substitute for House File No. 1, An act authorizing the appointment of a commission to examine and report upon the losses of settlers and claimants upon Des Moines River Lands on account of failure of title, and providing for applying to Congress for relief.

Also, House File No. 64, An act to facilitate the construction of the Chicago, Clinton, and Dubuque Railroad, and to legalize the acts of said company and the change of name from the Dubuque, Bellevue, and Mississippi Railway Company, and for other purposes.

MR. SPEAKER:—The Committee on Enrolled Bills ask leave to report that they have examined the following joint resolution, and find the same correctly enrolled:

Joint resolution relating to the terminus of the Union Pacific Railroad, and the violations of its charter by actions of the Union Pacific Railroad Company.

Also, House File No. 29, A bill for an act to legalize the acts of the council of the city of Clinton.

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval, the following:

Joint resolution relating to the terminus of the Union Pacific

Railroad, and the violations of its charter by actions of the Union Pacific Railroad Company.

Also, House File No. 29, An act to legalize the acts of the council of the city of Clinton.

J. VAN DEVENTER, *Chairman*.

Mr. Peet submitted the following report :

MR. SPEAKER—The Committee on Engrossed Bills ask leave to report that they have examined the following bill and find the same correctly engrossed :

H. F. No. 40, A bill for an act to authorize incorporated towns to appropriate a certain portion of the road tax to aid in the construction and repair of roads leading thereto.

C. T. PEET, *Chairman*.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill :

H. F. No. 102, A bill for an act to appropriate certain moneys for the payment of the temporary officers of the Fourteenth General Assembly, and for postage, with the following amendment :  
“This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the *Daily Iowa State Register* and *State Leader*, newspapers published in Des Moines.

J. A. T. HULL, *Secretary*.

Mr. Teale moved to adjourn.

The motion did not prevail.

The question being on the amendment offered by Mr. Irish, Mr. Irish demanded the yeas and nays, which were as follows :

The yeas were—

Messrs. Ballinger, Beatty, of Cedar ; Beresheim, Blakely, Cadwell, Campbell, Crawford, Day, Dumont, Freeman, Gear, Goodspeed, Hall, Hanson, Hopkirk, Irish, Kasson, Lee, McAllister, Morrison, Newbold, O'Donnell, Paul, Reed, Rohlf, Sandry, Stewart, Tufts, Van Deventer, Wilson, of Keokuk ; Wilson, of Washington ; and Wright, of Van Buren—Total, 32.

The nays were—

Messrs. Ainsworth, Appleton, Beatty, of Jasper ; Bergh, Blackman, Blake, Bliss, Bonewitz, Caldwell, Cardell, Carver, Clark, of Benton ; Clarke, of Iowa ; Close, Danforth, Davis, Davisson, Dayton, Draper, Duncan, Duncomb, Durham, Ellsworth, Ericson, Evans, Flenniken, Hewett, Hilton, Johnston, Leahy, Litzenberg, Maxwell, McClure, McCoy, Merrell, Miller, Perkins, Pratt, Reuther, Rice,

Rule, Secor, Skillin, Stow, Struthers, Tasker, Teale, Tuttle, Van Meter, Van Saun, Whitten, Williams, Wood, of Story; Wright, of Mills; and Mr. Speaker.—Total, 55.

Absent or excused—

Messrs. Booth, Butler, Green, Hanan, Heberling, Hovey, Keables, Mills, Peet, Schweer, Stedman, and Wood, of Clay—Total, 12.

So the amendment was not adopted.

The bill was ordered engrossed and read a third time.

Mr. Hall moved that the rule be suspended, the bill be considered engrossed, and read a third time now.

The motion prevailed and the bill was read a third time.

On the question shall the bill pass the yeas and nays were as follows :

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Blakely, Bonewitz, Cadwell, Caldwell, Campbell, Cardell, Carver, Clark, of Benton; Close, Crawford, Danforth, Davis, Davisson, Day, Dayton, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Gear, Hall, Hanson, Hewett, Hilton, Hopkirk, Hovey, Irish, Johnson, Kasson, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Miller, Morrison, Newbold, O'Donnell, Paul, Perkins, Pratt, Reed, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Skillin, Stewart, Stow, Struthers, Tasker, Teal, Tufts, Tuttle, Van Deventer, Van Meter, Van Saun, Whitten, Williams, Wilson, of Keokuk; Wilson of Washington; Wood, of Clay; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 85.

The nays were—none.

Absent or excused—

Messrs. Bliss, Booth, Butler, Clarke, of Iowa; Draper, Goodspeed, Green, Hanan, Heberling, Keables, Mills, Peet, Stedman, and Wood, of Story.

So the bill passed and the title was agreed to.

Leave of absence granted to Messrs. Irish and Goodspeed.

Mr. Evans, by leave, called up message on Speaker's table, House File No. 102.

On the adoption of the amendment, the yeas and nays were as follows :

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blake, Blakely, Bliss, Bonewitz, Cadwell, Caldwell, Campbell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Day, Dayton, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Gear, Hall, Hanson, Hewett, Hilton, Hopkirk, Hovey, Irish, Johnston, Kasson, Leahy, Lee, Litzenberg, Maxwell,

McAllister, McClure, McCoy, Merrell, Miller, Mills, Morrison, Newbold, O'Donnell, Paul, Perkins, Pratt, Reed, Reuther, Rice, Rohlf's, Rule, Sandry, Schweer, Secor, Skillin, Stewart, Stow, Struthers, Tasker, Tufts, Tuttle, Van Deventer, Van Meter, Van Saun, Whitten, Williams, Wilson, of Keokuk: Wilson, of Washington; Wood, of Clay; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 84.

The nays were none.

Absent or excused—

Messrs. Ballinger, Blackman, Booth, Bntler, Davisson, Draper, Goodspeed, Green, Hanan, Heberling, Keables, Peet, Stedman, Teale, and Wood, of Story—Total, 15.

So the amendment was adopted.

Leave of absence granted for Messrs. Blake, Ballinger, Hall, Ainsworth, Rule, Van Deventer, Litzenberg, and Draper.

Mr. Gear, by leave, called up the resolution in regard to printing report of Code Commissioners, which was adopted.

Leave of absence granted to Messrs. Ainsworth, Van Deventer, Rule, Merrell, Bergh, Danforth, and Draper.

Leave was granted to Mr. Ballinger to record his vote aye on substitute for Senate F le No. 1.

Mr. Rohlf's moved to take up Senate resolution relative to the translation of the Governor's Inaugural into different languages.

The motion prevailed, and Mr. Rohlf's offered the following amendment, which was adopted:

*Resolved by the General Assembly of the State of Iowa, That the Inaugural Message of Governor Carpenter be translated into the Holland language by W. P. Haze; into the Norwegian language by Prof. L. Liewers; into the Bohemian, by Prof. Klacel; into the German, by J. P. Stibolt; and into the Swedish, by C. C. Linderberg; and that the biennial message of Governor Merrill be translated into the Holland language by N. J. Gesman; into Norwegian, by Prof. L. Liewers; into Swedish, by C. C. Linderburg; into Bohemian, by Prof. Klacel; into German, by Theodore Guelich; and that for each translation of the Inaugural there shall be paid the sum of \$35, and for each translation of the biennial message there shall be paid the sum of \$50.*

On motion of Mr. Newbold, the House adjourned.

REPRESENTATIVE HALL,  
DES MOINES, IOWA, Feb. 1st, 1872. }

House convened pursuant to adjournment.

The Speaker in the chair.

Prayer by Rev. Mr. Swope.

On motion of Mr. Tufts the reading of the Journal was dispensed with.

On Motion of Mr. Tufts, Messrs. Williams and Campbell were added to the Committee on Enrolled Bills.

#### REPORT OF COMMITTEES.

The Committee on Enrolled Bills submitted the following report :

MR. SPEAKER—The Committee on Enrolled Bills ask leave to report that they have examined the following bill and find the same correctly enrolled:

H. F. No. 102, A bill for an act to appropriate certain moneys for the payment of the temporary officers of the Fourteenth General Assembly, and for postage.

JAS. L. WILLIAMS, *Chairman pro tem.*

By leave Mr. Maxwell submitted the following report:

MR. SPEAKER—Your Committee on New Counties to whom was referred H. F. No. 59, A bill for act providing for the establishment of temporary county seats in newly organized counties and in relation to the location of permanent county seats in such counties, beg leave to report that they have had the same under consideration and have caused a substitute for the same to be prepared, and have instructed me to report the same to the House with the recommendation that it do pass.

WM. MAXWELL, *for the Committee.*

On motion of Mr. Bliss, H. F. No. 56 was taken up and recommitted to Committee on Schools.

#### INTRODUCTION OF BILLS.

By leave Mr. Tuttle introduced H. F. No. 106, A bill for an act to authorize the Secretary of State to subscribe for a certain number of copies of the Military History of Iowa.



Read a first and second time and referred to Committee on Military Affairs.

By leave Mr. Secor introduced H. F. No. 107, A bill for an act to enable townships, incorporated towns, and cities, which have heretofore or which may hereafter vote a tax to aid in the construction of a railroad, under the provision of chapter 102, laws of the Thirteenth General Assembly, to transfer and use such tax in aid of the construction of such other railroads as the inhabitants of the township, city, or town voting the same may desire.

Read a first and second time, and referred to Committee on Judiciary, and ordered printed.

By leave Mr. Wood of Olay, introduced H. F. No. 108, A bill for an act to legalize the organization of the township of Center, in O'Brien county, Iowa.

Read a first and second time, and referred to Committee on County and Township Organizations.

By leave Mr. Wood of Olay, introduced H. F. No. 109, A bill for an act to legalize the organization of the township of Highland, in O'Brien county, Iowa.

Read a first and second time, and referred to Committee on County and Township Organizations.

Mr. Wood of Clay, presented a petition from citizens of O'Brien county, in regard to legalizing township organizations in said county.

Referred to Committee on County and Township Organizations.

By leave Mr. Wood of Olay, introduced H. F. No. 110, A bill for an act to prohibit dealers in spirituous or intoxicating liquors from holding certain offices named therein.

Read a first and second time, and referred to Committee on the Suppression of Intemperance.

On motion of Mr. Campbell the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
Des Moines, Iowa, February, 13th 1872. }

House convened pursuant to adjournment.

The Speaker in the Chair.

Prayer by Rev. M. L. Walters.

Journal of last days proceeding's read and approved.

#### PETITIONS.

Mr. Wood of Clay, presented a petition from citizens of O'Brien county, in regard to legalizing certain township organizations.

Referred to Committee on County and Township Organizations.

Mr. Freeman presented the petition of citizens of Scott county, in regard to the liquor law.

Referred to Committee on Suppression of Intemperance.

Mr. Blackman presented the petition of D. H. Winger and 44 others, praying for a more stringent liquor law.

Referred to Committee on the Suppression of Intemperance.

Mr. Caldwell presented the petition of James Hall, State Geologist, which was

Referred to Committee on Claims.

Mr. Wright of Van Buren, presented a petition from citizens of Van Buren county, praying for a more stringent liquor law.

Referred to Committee on the Suppression of Intemperance.

Mr. Goodspeed presented the petition of citizens of Washington county, on the subject of intemperance.

Referred to Committee on the Suppression of Intemperance.

Mr. Newbold presented a petition from citizens of Henry county, asking for a law regulating tariffs of railroads.

Referred to Committee on Railroads.

Mr. Reed presented a petition on the subject of intemperance, from the citizens of Jackson county, which was

Referred to Committee on the Suppression of Intemperance.

Mr. Tasker presented a petition for a reform school for girls.

Referred to Committee on Reform School.

#### REPORTS OF COMMITTEES.

Mr. Newbold from Committee on Schools submitted the following report :

MR. SPEAKER.—Your Committee on Schools, to whom was referred H. F. No. 25, A bill for an act to abolish the office of county superintendent of common schools, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do not pass.

J. G. NEWBOLD, *Chairman.*

MR. SPEAKER:--Your Committee on Schools to whom was referred House File No. 55, A bill for an act amendatory to an act defining the duties of Superintendent of Common Schools, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do not pass.

J. G. NEWBOLD, *Chairman.*

MR. SPEAKER:—Your Committee on Schools, to whom was referred House File No. 43, A bill for an act to change the of

electing county superintendents of schools, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

J. G. NEWBOLD, *Chairman.*

MR. SPEAKER:—Your Committee on Schools to whom was referred House File No. 17, A bill for an act to amend the present school laws, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

J. G. NEWBOLD, *Chairman.*

Mr. Kasson, from Committee on Ways and Means, submitted the following report:

MR. SPEAKER—Your Committee on Ways and Means, to whom was referred House File No. 76, A bill for an act to amend section 710 of the Revision of 1860, "An act in relation to revenue," beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also,

House File No. 78, A bill for an act relating to taxes levied for bridge purposes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass with amendments, as follows: First—Amend the proviso at the end of the first section so that it shall read, "*Provided*, That this act shall only apply where bridges exceeding fifty feet in extreme length have been or shall be constructed and maintained by such municipal authority." Second—Add the following proviso at the end of section 2: "*Provided*, That wherever the taxes so levied and paid over to the proper municipal officer shall have amounted to the cost of constructing and maintaining such bridges, the bridge tax herein provided for shall thereafter remain in the county treasury for general bridge purposes, subject only to the cost of maintaining such municipal bridges in good condition and repair."

JOHN A. KASSON, *Chairman.*

Mr. Bonewitz, from Committee on County and Township Organization, submitted the following report:

MR. SPEAKER—Your Committee on County and Township Organization, to whom was referred House File No. 99, A bill for an act legalizing the organization of the townships of Silver Lake and Lloyd, in Dickinson county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to

report the same back to the House with the recommendation that it be amended as follows: Add to section 3, "without expense to the State," and as so amended that it do pass.

P. G. BONEWITZ, *Chairman.*

INTRODUCTION OF BILLS.

Mr. Leahy introduced H. F. 111, A bill for an act in relation to the State Library and duties of the State Librarian.

Read a first and second time, and referred to Committee on State Library.

Mr. Stedman introduced H. F. 112, A bill for an act to repeal chapter 61 of the laws of the Eleventh General Assembly, and section 3, chapter 160 of the laws of the Twelfth General Assembly.

Read a first and second time, and referred to Committee on County and Township Organization.

Mr. Kasson introduced H. F. 113, A bill for an act in relation to partition fences.

Read a first and second time, and referred to Committee on Agriculture.

Mr. Kasson introduced H. F. No. 114, A bill for an act to amend chapter 100 of the acts of the Twelfth General Assembly, relating to roads.

Read a first and second time, and referred to Committee on Ways and Means.

Mr. Ellsworth introduced H. F. No. 115, A bill for an act prescribing the duties of druggists.

Read a first and second time, and referred to Committee on Medical Institutions.

Mr. Wright, of Mills, introduced H. F. No. 116, A bill for an act defining the weight of a bushel of corn in the cob.

Read a first and second time and referred to Committee on Agriculture.

Mr. Bergh introduced H. F. No. 117, A bill for an act for the management of the State Library and fixing the compensation of the State Librarian.

Read a first and second time and referred to Committee on State Library.

Mr. Cardell introduced H. F. No. 118, A bill for an act to provide that the board of trustees of the incorporated town of Grinnell may have control of Hollewood cemetery.

Read a first and second time and referred to Committee on Incorporations.

Mr. Cadwell introduced H. F. No. 119, A bill for an act to provide for a more regular attendance of the pupils of the public schools of Iowa.

Read a first and second time and referred to Committee on Schools.

Mr. Clark, of Benton, introduced H. F. No. 120, A bill for an act to amend section 720 of the Revision of 1860, providing for the annual assessment of real property.

Read a first and second time and referred to Committee on Ways and Means.

#### RESOLUTIONS.

Mr. Irish offered the following resolution which was referred to Committee on Judiciary :

**WHEREAS**, Public lands in the counties of O'Brien, Cherokee, Clay, Buena Vista, Ida, Osceola, Plymouth, Sioux, Lyon, and Sac, have been largely taken up by homestead settlers, who by law are exempt from taxation ; and

**WHEREAS**, It is apparent that the rights of taxable property holders in said counties may be abused by the voting of the un-taxable homestead settlers aforesaid ; and

**WHEREAS**, Evidence of such abuse is attainable, and in some counties the same has been carried to such an extent as to prevent the sale of taxable lands to actual settlers, and as to ruin the owners thereof ; therefore

*Be it resolved by the General Assembly of the State of Iowa,* That the Judiciary Committees of the two houses be instructed to inquire into the expediency of legislating in the direction of controlling the levy and collection of taxes in the counties herein named and others similarly situated.

Mr. Hopkirk offered the following resolution which was referred to the Committee on Federal Relations :

*Be it resolved by the Senate and House of Representatives of the Iowa Legislature assembled,* That our Senators in Congress be instructed, and our representatives be requested, to sustain the President of the United States in his present policy for the management of the various Indian tribes ; and to vote against any bill or resolution, the object of which is to open the country known as the Indian territory for the introduction of white or citizen settlement, or for corporate or speculative purposes, the same being in violation of the solemn pledges of the government of the United States, as set forth in its treaties of 1866 and 1867, with the Cherokee, Creek, Choctaw and Chickasaw, and Seminole nations, wherein the government purchased and received in trust, from said tribes, the western half of said territory, *specifically*, for the removal to, and settlement therein, of the scattered tribes of Kansas, Nebraska, and other States, and the uncivilized tribes of the plains, providing fully in all the treaties with all the latter migrating tribes, that

they should on taking homes in said Indian territory, be fully protected therein from any further encroachment; that inasmuch as the tribes occupying said territory, and those removing thereto, can have no provision for homes, east, west, north, or south of the same, it becomes an additional duty, as well as policy of the government, faithfully to protect them in this, their final home.

Mr. Wright, of Mills, offered the following resolution, which was adopted:

*Resolved*, That the Committee on Schools are respectfully directed to examine auditor's report, pages 110 and 111, in regard to indebtedness of counties to school fund, and if found expedient, to report a bill to carry out the recommendations therein contained.

By leave, Mr. Williams introduced H. F. No. 121, A bill for an act to amend sections 3362, 3363, and 3364, of the Revision of 1860.

Read a first and second time, and referred to Committee on Judiciary.

#### MESSAGES ON THE SPEAKER'S TABLE.

Senate File No. 68, A bill for an act to legalize the acts of Wm. H. Price, as auditor of Carroll county, etc., was taken up, read a first and second time and referred to Committee on County and Township Organization.

Senate File No. 20, A bill for an act to amend sec. 2524, of the Revision of 1860, was taken up, read a first and second time, and referred to Judiciary Committee.

The report of the joint committee of the Senate and House, on the subject of considering the report of the code commissioners, was taken up and concurred in.

S. F. No. 49, A bill for an act giving consent to the purchase by the United States of certain real estate, was taken up.

Read a first and second time, and referred to Committee on Federal Relations.

#### BILLS ON SECOND READING.

H. F. No. 20, A bill for an act making it unlawful for any member of the General Assembly to receive mileage, postage stamps, stationery, or other perquisites to be paid for out of the State Treasury, was taken up and considered.

Mr. Leahy moved that the bill be indefinitely postponed.

Mr. Irish demanded the yeas and nays, which were as follows.

The yeas were:

Messrs. Bergh, Blackman, Cadwell, Cardell, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davisson, Dumont

Durham, Ellsworth, Freeman, Gear, Goodspeed, Hall, Hanson, Hilton, Leahy, Maxwell, Miller, Mills, Paul, Stedman, Tuttle, Wood, of Clay; and Wright, of Mills—Total, 28.

The nays were :

Messrs. Bonewitz, Caldwell, Campbell, Day, Draper, Duncan, Duncombe, Evans, Heberling, Hopkirk, Hovey, Irish, Kasson, McAllister, Merrell, Newbold, O'Donnell, Reed, Rule, Schweer, Stewart, Stow, Tasker, Tufts, Van Sann, Williams, Wood, of Story; Wright, of Van Buren; and Mr. Speaker—Total, 30.

Absent or excused :

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Blake, Blakely, Bliss, Booth, Butler, Carver, Davis, Dayton, Ericson, Flenniken, Green, Hanan, Hewitt, Johnston, Keables, Lee, Litzenberg, McClure, McCoy, Peet, Perkins, Pratt, Reuther, Rice, Rohlf, Sandry, Secor, Skillin, Struthers, Teale, Van Deventer, Van Meter, Whitten, Wilson, of Keokuk; and Wilson, of Washington—Total, 41.

So the motion to postpone did not prevail.

Mr. Hall moved that the bill be made a special order for Monday, February 20, at 11 o'clock, a. m.

The motion prevailed.

H. F. No. 34, A bill for an act to reduce weekly allowance of postage stamps and stationery of the members of the General Assembly, was taken up, and, in accordance with the recommendation of the committee was indefinitely postponed.

The concurrent resolution in reference to the appointment of a committee to fix the per diem of the officers of the General Assembly, was not adopted.

Leave was granted to Mr. Merrell to call up H. F. No. 74, A bill for an act to amend section 1103 of the Revision of 1860.

Mr. Reed moved to amend by striking out "5,000," and inserting "1,500."

Mr. Irish moved to amend the amendment as follows: Strike out from after "provided however," the four lines following, and insert in lieu thereof, "that in all such cities and in all incorporated towns," and insert after the word "city," the words "or towns," where the same occurs in section 2 of said bill.

Mr. Gear moved that the bill with the amendments offered be re-committed to Committee on Judiciary with instructions to report a bill.

The motion prevailed.

Mr. Irish moved that the Judiciary Committee be instructed to make the report on next Friday, at 11 o'clock.

Mr. Leahy moved to amend by instructing the committee to report at their first meeting.

The motion prevailed.

H. F. No. 68, A bill for an act to repeal sections 7 and 8 of



chapter 100 of the Twelfth General Assembly, and prescribing the duties of township trustees, was taken up and considered.

Mr. Duncombe moved that section 2 be stricken out.

Mr. Williams moved to re-commit to Committee on Roads and Highways.

The motion prevailed.

H. F. No. 72, A bill to amend section 6, of chapter 92, laws of the Twelfth General Assembly, entitled an act to encourage the planting and growing of timber, &c., was taken up and considered.

Mr. Clarke of Iowa, moved to amend as follows:

*Provided*, That under this act and the act to which this is amendatory, no person shall have to exceed one half his real estate exempted from taxation.

The amendment was adopted.

Mr. Reed moved that the bill be indefinitely postponed.

The motion did not prevail.

Mr. Leahy moved that the rule be suspended, that the bill be considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

Upon the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were:

Messrs. Bergh, Blackman, Bonewitz, Cadwell, Caldwell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Crawford, Davison, Day, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Freeman, Gear, Goodspeed, Hanson, Heberling, Hewett, Hovey, Irish, Kasson, Keables, Leahy, Maxwell, McClure, Merrell, Miller, Mills, Morrison, Newbold, O'Donnell, Rule, Stedman, Tasker, Tufts, Tuttle, Van Sann, Whitten, Williams, Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; and Mr. Speaker—Total, 51.

The nays were:

Messrs. Campbell, Danforth, Hall, Hilton, Hopkirk, McAllister, Paul, Reed, Schweer, Stewart, Stow, and Wright, of Van Buren—Total, 12.

Absent or excused:

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Blake, Blakely, Bliss, Booth, Butler, Close, Davis, Dayton, Flenniken, Green, Hanan, Johnston, Lee, Litzenberg, McCoy, Peet, Perkins, Pratt, Reuther, Rice, Rohls, Sandry, Secor, Skillin, Struthers, Teale, Van Deventer, Van Meter, and Wilson, of Keokuk—Total, 35.

So the bill passed and the title was agreed to.

On motion of Mr. Newbold the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, February 14, 1872. }

House convened pursuant to adjournment, the Speaker in the chair.

Prayer by Rev. D. H. Kooker.

The journal of yesterday read and approved.

Mr. Duncombe presented the credentials of Mr. Christophal, of Dubuque, elected to fill the vacancy occasioned by the death of Martin Kaier, which being found correct, Mr. Christophal came forward to the bar of the House and took the oath of office.

PETITIONS.

Mr. Davisson presented a petition on the subject of Indian Territories.

Referred to Committee on Federal Relations.

Mr. Miller presented a petition from the citizens of Appanoose county on the subject of schools.

Referred to Committee on Schools.

Mr. Miller presented a petition of the board of directors, Taylor township, Appanoose county.

Referred to Committee on Schools.

Mr. Van Meter presented a petition of citizens of Dallas county in regard to restraining stock.

Referred to Committee on Agriculture.

Mr. Litzenberg presented a petition from citizens of Linn county asking for the re-establishment of the county supervisor system.

Referred to Committee on County and Township Organization.

Mr. Merrill presented a petition from citizens of Clinton county asking for a change in the county supervisor system.

Referred to Committee on County and Township Organization.

Mr. Peet presented a petition from citizens of Clayton county in regard to the taxation of railroads.

Referred to Committee on Railroads.

Mr. Evans presented a petition from citizens of Muscatine county asking for a change in the school laws.

Referred to Committee on Schools.

REPORTS OF COMMITTEES.

Mr. Peet, from Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER—The Committee on Engrossed Bills ask leave to report that they have examined the following bill, and find the same correctly engrossed:

House File No. 72, A bill for an act to amend section 6 of chapter 97, laws of the Twelfth General Assembly, entitled "An act to encourage the planting and growing of timber."

J. M. LEE, *Chairman.*

Mr. Merrell, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER—Your Committee on Judiciary, to whom was referred H. F. No. 74, A bill for an act to amend section 1108 of the Revision of 1860, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation of the passage of the accompanying substitute for the original bill.

MERRELL, *Chairman.*

The report of the Secretary of the State Agricultural Society was taken from the Speaker's table and referred to the Committee on Agriculture.

Leave of absence was granted to Messrs. McCoy, Rohlf, Kason, and Van Deventer.

#### INTRODUCTION OF BILLS.

Mr. Goodspeed introduced H. F. No. 122, A bill for an act to amend chapter 1544 of the Revision of 1860.

Read a first and second time, and referred to Committee on Agriculture.

Mr. Peet introduced H. F. No. 123, A bill for an act entitled "An act to regulate county expenses in change of venue in certain civil cases."

Referred to Committee on Judiciary.

Mr. Duncombe introduced H. F. No. 124, A bill for an act to legalize and confirm the organization of the Sabula, Ackley, and Dakota railroad company, and to grant to such company right of transportation by water.

Read a first and second time, and referred to Committee on Railroads.

Mr. Blake introduced H. F. No. 125, A bill for an act to legalize the independent school district of New Cherokee.

Read a first and second time, and referred to Committee on Schools.

Mr. Green introduced H. F. No. 126, A bill for an act for the removal of an escheat.

Read a first and second time, and referred to Committee on Judiciary.

Mr. Butler introduced H. F. No. 127, A bill for an act in relation to the organization of townships.

Read a first and second time, and referred to Committee on County and Township Organization.

Mr. Ericson introduced H. F. No. 128, A bill for an act to amend section 824, chapter 46, Revision of 1860, relating to the laying out of roads.

Read a first and second time, and referred to Committee on Roads and Highways.

Mr. Dayton introduced H. F. No. 129, A bill for an act to amend section 3, chapter 158, of the laws of the Thirteenth General Assembly, in relation to reading wills.

Read a first and second time, and referred to Committee on Judiciary.

Mr. Danforth introduced H. F. No. 130, A bill for an act to amend section 2201 of the Revision of 1860, so as to provide for the filing of copies of bills of sale and mortgages of personal property with the township clerk.

Read a first and second time, and referred to Committee on County and Township Organization.

Mr. Stewart introduced H. F. No. 131, A bill for an act to amend section 859 of the Revision of 1860.

Read a first and second time, and referred to Committee on Roads and Highways.

Mr. Secor introduced H. F. No. 132, A bill for an act to legalize the plat of the village of Northwood, Worth county, Iowa.

Read a first and second time, and referred to Committee on County and Township Organization.

Mr. Wright, of Mills, introduced H. F. No. 133, A bill for an act to amend section 722, chapter 45, of the Revision of 1860, in relation to revenue.

Read a first and second time, and referred to Committee on Ways and Means.

Mr. O'Donnell introduced H. F. No. 134, A bill for an act to protect and provide for the registration of bonds issued by counties, townships, school districts, and incorporated cities and towns, and to provide for the payment of the same.

Read a first and second time, and referred to Committee on Judiciary.

Mr. O'Donnell introduced H. F. No. 135, A bill for an act to repeal section 1804 of the Revision of 1860, in relation to days of grace, with substitute therefore.

Read a first and second time, and referred to Committee on Banks and Banking.

Mr. O'Donnell introduced H. F. No. 136, A bill for an act to

repeal sections No. 4149 and 4152, of the Revision of 1860, and providing a substitute therefor.

Read a first and second time, and referred to Judiciary Committee.

Mr. Irish introduced H. F. No. 137, A bill for an act to suppress intemperance, and regulate and license the sale of spirituous, vinous, malt, and other intoxicating liquors, to prohibit the sale of adulterated liquors, to repeal all laws contravening this act, and prescribing penalties for the violation hereof.

Read a first and second time, and referred to Judiciary Committee, and ordered printed.

Mr. O'Donnell introduced H. F. No. 138, A bill for an act to protect the election of voluntary political associations, and to punish frauds thereon.

Read a first and second time, and referred to Committee on Elections.

Mr. Ericson introduced H. F. No. 139, A bill for an act prescribing the manner of paying county orders.

Read a first and second time, and referred to Committee on County and Township Organization.

Mr. Peet introduced H. F. No. 140, A bill for an act to authorize boards of supervisors to cancel county warrants in certain cases, and defining the limitations of such warrants.

Read a first and second time, and referred to Committee on County and Township Organization.

Mr. Hall introduced H. F. No. 141, A bill for an act to repeal certain laws relating to prosecution of certain claims against the General Government.

Read a first and second time, and referred to Committee on Federal Relations.

#### RESOLUTIONS.

Mr. O'Donnell offered the following resolution :

*Resolved*, That the proper officers be hereby instructed to transmit to the widow of the Hon. Martin E. Kaier, deceased, all of the milage, *per diem*, perquisites and stationery, or the value in money of any part thereof, from the 8th day of January, to the date of the passage hereof.

O'DONNELL of Dubuque.

Mr. Blakely moved to amend the resolution by making it read, to the end of the session.

The motion did not prevail.

The resolution was adopted.

Mr. Mills offered the following resolution which was adopted :

*Resolved*, That on and after Monday, 19th inst., this House hold two sessions each day, until otherwise ordered.

Mr. Peet offered the following resolution :

*Resolved*, That this House direct the Judiciary Committee to inquire into the expediency of establishing a special seal for the use of Boards of Supervisors, and to report by bill or otherwise.

The resolution was not adopted.

Mr. Danforth offered the following resolution, which on motion of Mr. Morrison was referred to Committee on Printing.

*Resolved, by the House of Representatives*, That all bills presented by this House shall, after having passed their second reading, be printed, and a copy of each be placed upon the desk of each member, and that the printing of such bills shall take precedence of all other printing.

Mr. Duncombe offered the following resolution :

*Memorial and Joint Resolution*, asking Congress for the establishment, erection, and maintenance of a Marine Hospital, at Sioux City, Iowa.

*Your memorialists, the General Assembly of the State of Iowa, respectfully represent*, That the present laws of trade and commerce upon the Upper Missouri river, make Sioux City the rendezvous, and starting point for four-fifths of all the commerce upon that river; that during the last season of navigation, twenty-seven large steamers were employed in the commerce of the Upper Missouri river, plying between Sioux City and Fort Benton, a distance of about 2,500 miles, and that there is a contemplated increase of the number of said boats to forty, for the business of said river for the coming seasons; that from the large number of men employed in said commerce there are regularly collected the legitimate hospital dues, contributed by seamen from their wages for their support in cases of misfortune and sickness.

Your memorialists further show, that there have many serious accidents and much sickness occurred among the said seamen, rendering them unable to labor and as a consequence, they become immediate objects of charity, and their care and support entirely devolve upon the civil authorities of Sioux City. That during the past season there were at least a dozen cases of fractured limbs, several cases of fever and other diseases, besides a case of small pox. Owing to its location all these cases, together with many others not reported, fell directly to the care of the city.

Your memorialists would further represent that Sioux City being the last point reached by railroad on the frontier, all the military serving at the posts on the upper Missouri, pass through that place, and annually there are many discharged soldiers who reach Sioux City, sick and destitute, and worthy objects of charity.

Your memorialists know of no marine hospital within a very great distance of this point, and are of the opinion that justice and charity demand its location at this point; therefore,

*Resolved*, That our Senators in Congress be instructed, and our

Representatives requested to use their influence to secure the passage of an act of Congress providing for a marine hospital at Sioux City, and that a copy of this memorial be forwarded by the Secretary of State to each of the Senators and Representatives of Iowa in Congress.

Mr. Morrison moved to refer the resolution to Committee on Medical Institutions.

Mr. Leahy moved to amend by referring to Committee on Federal Relations.

The motion prevailed.

Mr. Irish offered the following resolution, which was referred to Committee on Constitutional Amendments:

A joint resolution agreeing to, ratifying and confirming amendments to the State constitution.

WHEREAS, The Thirteenth General Assembly of the State of Iowa did in due form, by a majority of the members elected to each of the two houses, agree to proposed amendments to the State constitution, as follows:

*First.* Strike from section one of article two of said constitution the word "male."

*Second.* Strike from section four of article three of said constitution, the word "male;" and entered the same upon the journals thereof, and referred the same to the legislature to be chosen at the next general election; and the same having been published, as provided by law, for three months previous to the time of making the choice of this, the Fourteenth General Assembly; therefore,

*Be it resolved by the General Assembly of the State of Iowa,* That the said amendments aforesaid and each of them are hereby ratified, agreed to, and confirmed; and the same shall be submitted to the people for their approval as this General Assembly shall provide.

#### BILLS ON SECOND READING.

Leave was granted Mr. Merrell to call up House File No. 74, A bill for an act to amend sec. 1103, of the Revision of 1860.

The substitute recommended by the committee was adopted.

Mr. Merrill moved that the rule be suspended, the bill considered engrossed and read a third time now.

The motion prevailed and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Beatty, of Jasper; Blackman, Blake, Blakely, Bliss, Bonewitz, Cadwell, Caldwell, Campbell, Cardell, Carver, Clark, of Benton, Clarke, of Iowa; Olose, Crawford, Danforth, Day, Draper, Dumont, Duncombe, Durham, Ellsworth, Ericson, Freeman, Gear, Green, Hall,



Hanson, Heberling, Hewett, Hilton, Irish, Keables, Leahy, Litzenberg, Maxwell, McAllister, McOlure, Merrell, Miller, Mills, Morrison, Newbold, Paul, Reed, Rule, Secor, Stedman, Stewart, Tuttle, Van Saun, Whitten, Williams, Wood, of Clay; Wood, of Story; and Mr. Speaker—Total 56.

The nays were :

Messrs. Appleton, Ballinger, Bereshiem, Bergh, Butler, Christoph, Davisson, Dayton, Duncan, Evans, Goodspeed, Hopkirk, Hovey, Johnston, Lee, O'Donnell, Peet, Perkins, Rice, Schweer, Stow, Tufts, Van Meter, Wilson, of Keokuk; Wilson, of Washington, Wright, of Mills, and Wright, of Van Buren—Total 27.

Absent or excused :

Messrs. Ainsworth, Beatty, of Cedar; Booth, Davis, Flenniken, Hanan, Kasson, McCoy, Pratt, Reuther, Rohlf, Sandry, Skillin, Struthers, Tasker, Teale, and Van Deventer —Total 17.

So the bill passed and the title was agreed to.

Leave of absence was granted to Mr. Ainsworth.

H. F. No. 18, A bill for an act to amend section 8, chap. 26, acts of the Thirteenth General Assembly, was taken up and considered.

Mr. Tufts moved that the rule be suspended, the bill considered engrossed, and read a third time now.

Mr. Leahy moved that the bill be made a special order for Tuesday, the 21st, at 11 o'clock, A. M.

Leave of absence was granted to Al. Swalm, postmaster.

On motion of Mr. Cadwell, the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, February 15, 1872. }

House convened pursuant to adjournment.

The Speaker in the chair.

Prayer by Rev. J. G. Dimmitt.

The Journal of yesterday read and approved.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill, without amendment:

H. F. No. 58, A bill for an act repealing chapter fifty-six of the acts of the Eleventh General Assembly, and fixing the time for holding courts in Winneshiek county.

Also, that the Senate has concurred in House amendments to

resolution relative to the translation of the bi-ennial message and inaugural address.

J. A. T. HULL, *Secretary*.

Mr. Peet from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: The Committee on Engrossed Bills ask leave to report that they have examined the following bill and find the same correctly engrossed:

H. F. No. 74, A bill for an act to amend section 1103 of the Revision of 1860.

C. T. PEET, *Chairman*.

#### REPORT OF COMMITTEE.

By leave, Mr. Close from Committee on Agriculture, submitted the following report which was adopted:

MR. SPEAKER: Your Committee on Agriculture, to whom was referred the report of the Secretary of the State Agricultural Society, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that there be printed five thousand copies in pamphlet form of not less than thirty-two pages each, for the use of the Fourteenth General Assembly.

C. CLOSE, *Chairman*.

#### UNFINISHED BUSINESS.

The question recurring on the consideration of H. F. No. 18, leave was granted to Mr. Leahy to withdraw his motion to postpone and make special order for Tuesday at 11 o'clock.

Mr. Leahy moved to refer the bill to a special committee of five—three farmers and two lawyers—to be appointed by the chair.

#### PETITIONS.

Mr. Beresheim presented a petition from citizens of Pottawattamie county on the subject of dentistry.

Referred to Committee on Medical Institutions.

Mr. Duncombe presented the remonstrance of Charles C. Smeltzer and 120 other citizens of Webster county, against the increase of county tax.

Referred to Committee on Ways and Means.

Mr. Kasson presented the memorial of E. E. White, asking for a law to protect sheep against the ravages of dogs.

Referred to Committee on Agriculture.

Mr. Wright, of Mills, presented the petition of citizens of Mills county on the subject of satisfaction of mortgages.

Referred to Committee on Judiciary.

Mr. Wilson, of Keokuk, presented a petition from citizens of Washington county, on the subject of intemperance.

Referred to Committee on Suppression of Intemperance.

#### REPORT OF COMMITTEES.

Mr. Van Saun from the Committee on Banks and Banking, submitted the following report:

MR. SPEAKER: Your Committee on Banks and Banking, to whom was referred H. F. No. 135, A bill for an act to repeal section 1804 of the Revision of 1860, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

GEO. B. VAN SAUN, *Chairman.*

Mr. Bonewitz from the Committee on County and Township Organization, submitted the following report:

MR. SPEAKER: Your Committee on County and Township Organization, to whom was referred H. F. No. 132, A bill for an act to legalize the plat of the village of Northwood, Worth county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, H. F. No. 112, A bill for an act to repeal chapter 61 of the laws of the Eleventh General Assembly, and section 3, chapter 160 of the laws of the Twelfth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

P. G. BONEWITZ, *Chairman.*

#### INTRODUCTION OF BILLS.

Mr. Keables introduced H. F. No. 142, A bill for an act to collect additional tax on the gross receipts of railroads.

Read a first and second time, and referred to Committee on Railroads.

Mr. Wright, of Van Buren, introduced H. F. No. 143, A bill for an act requiring the cultivations of Osage hedge to trim the same.

Read a first and second time, and referred to Committee on Roads and Highways.

Mr. Wood, of Clay, introduced H. F. No. 144, A bill for an act for the relief of Isaac Skinner.

Read a first and second time, and referred to Committee on Claims.

Mr. Wood, of Clay, introduced H. F. No. 145, A bill for an act to compensate and reimburse B. F. Jenkins for material furnished and labor performed for and in behalf of the State of Iowa in the building of a certain fort for the protection of the northern frontier.

Read a first and second time, and referred to Committee on Claims.

Mr. Blackman introduced H. F. No. 146, A bill for an act providing for a committee on claims, and defining their duties.

Read a first and second time, and referred to Committee on Judiciary.

Mr. Beresheim introduced H. F. No. 147, A bill for an act to legalize the acts of Robert E. Montgomery, clerk of the district and circuit courts of Pottawattamie county.

Read a first and second time, and referred to Committee on Judiciary.

Mr. Durham introduced H. F. No. 148, A bill for an act to amend chapter 95, acts of the Twelfth General Assembly, being an act for the relief of needy persons.

Read a first and second time, and referred to Committee on Charitable Institutions.

Mr. Close introduced H. F. No. 149, A bill for an act to amend sections 1775 and 1984 of the Revision of 1860, in relation to school fund.

Read a first and second time, and referred to Committee on Schools.

Mr. Heberling introduced H. F. No. 150, A bill for an act to amend chapter 86 of the laws of the Twelfth General Assembly of the State of Iowa, entitled "An act establishing circuit courts and general term courts, and to define the powers and jurisdiction thereof.

Read a first and second time, and referred to Committee on Judiciary, and ordered printed.

Mr. Williams introduced H. F. No. 151, A bill for an act to pay school directors for their services.

Read a first and second time, and referred to Committee on Schools.

Mr. Williams introduced H. F. No. 152, A bill for an act to amend section 3782 of the Revision of 1860, in relation to the vacation and modification of injunctions.

Read a first and second time, and referred to Committee on Judiciary.

Mr. Peet introduced H. F. No. 153, A bill for an act in relation to the collection of taxes in certain cases.

Read a first and second time, and referred to Committee on Ways and Means.

The Speaker announced as committee of five to consider the code in conformity with joint resolution, Messrs. Gear, Beresheim, Leahy, Ainsworth and Campbell.

The Speaker announced as special committee on H. F. No. 18, Messrs. Tufts, Duncombe, Hall, Bonewitz and Close.

#### BILLS ON SECOND READING.

H. F. No. 8, A bill for an act to amend chapter 54, of the acts of the 13th General Assembly of Iowa, was taken up, and on motion of Mr. Appleton was laid on the table.

H. F. No. 22, An act amending chapter 65 of the acts of the 18th General Assembly, entitled "streets and alleys," was taken up and considered.

The amendment recommended by the committee, viz., that the word "two-thirds" be stricken from section 1, and the word "majority" inserted in lieu thereof, was adopted.

Mr. Gear moved that the bill be postponed until next Wednesday at 11 o'clock A. M.

The motion prevailed.

H. F. No. 67, A bill for an act in relation to the compensation of the members of the General Assembly, was taken up and in accordance with the recommendation of the committee the bill was indefinitely postponed.

H. F. No. 70, A bill for an act empowering township trustees to purchase grounds for cemetery purposes, was taken up, and on motion of Mr. Draper, was referred to Committee on Charitable Institutions, and ordered printed.

H. F. No. 60, A bill to amend section 307 of the Revision of 1860, was taken up, and on motion of Mr. Duncombe, was passed on the files.

Leave was granted Mr. Wood, of Clay, to call up H. F. No. 99. The bill was considered and the amendments recommended by the committee were concurred in.

Mr. Durham moved to strike out of section 3 the words "and incorporated."

The motion did not prevail.

Mr. Wood, of Clay, moved that the rule be suspended, the bill considered engrossed and read a third time now.

The motion prevailed, the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Ballinger, Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Blakely, Bonewitz, Booth, Butler, Cadwell, Caldwell, Campbell, Cardell, Carver, Christoph, Clark, of

Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Davisson, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewitt, Hilton, Hopkirk, Hovey, Irish, Johnson, Kasson, Keables, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, Merrell, Miller, Mills, Morrison, Newbold, O'Donnell, Paul, Peet, Perkins, Reed, Reuther, Rice, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Tasker, Tufts, Van Meter, Van Saun, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Van Buren; and Mr. Speaker—Total, 85.

The nays were none.

Absent or excused—

Messrs. Appleton, Beatty, of Cedar; Bliss, Evans, Flenniken, Hanan, McCoy, Pratt, Rohlf, Rule, Struthers, Teal, Tuttle, Van Deventer, and Wright, of Mills—Total, 15.

So the bill passed, and the title was agreed to.

Leave of absence was granted to Mr. Evans.

H. F. No. 71, A bill for an act permitting proprietors of mills owning lands nearest to meandered lakes, on their outlets, to construct dams for mill purposes so as to hold the water of such lakes at all seasons of the year at their ordinary level, was taken up and considered.

Mr. Duncombe moved that the bill be recommitted to Judiciary Committee.

The motion prevailed.

H. F. No. 61, A bill for an act to amend section 2524 of Revision of 1860, was taken up, and in accordance with the recommendation of the committee was indefinitely postponed.

Mr. Bergh, from Committed on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills beg leave to report that they have examined the following bill: S. F. No. 60, A bill for an act to regulate taxes and the collection thereof, voted to aid in the construction of railroads, and that they have found the same correctly enrolled.

Also, Joint resolution proving for the appointment of a committee to ascertain what legislation is necessary to protect Iowa commerce and the interests of Iowa citizens against the violations by the Union Pacific Railroad Company of the terms of their charter, and their agreement with Iowa citizens, and find the same correctly enrolled.

BERGH, *Chairman pro tem.*

H. F. No. 11, A bill for an act to amend an act passed by the Ninth General Assembly, entitled an act to amend chap. 45 of the Revision of 1860, being an act in relation to Revenue, was taken up and considered.

Mr. Ellsworth moved that the bill be recommitted to Committee of Ways and Means.

The motion prevailed.

H. F. No. 81, A bill for an act amendatory to an act of the Twelfth General Assembly, chapter 155, entitled an act fixing the compensation of members of future General Assemblies; was taken up and considered.

On the recommendation of the committee to indefinitely postpone, Mr. Hopkirk demanded the yeas and nays, which were as follows :

The yeas were—

Messrs. Beresheim, Blackman, Blise, Booth, Butler, Clark, of Benton ; Davis, Dayton, Dumont, Hall, Hewett, Hilton, Hovey, Litzenberg, McClure, Merrell, Mills, Paul, Rice, Schweer, Stow, Wood, of Clay—Total, 22.

The nays were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Jasper ; Bergh, Blackman, Blake, Blakely, Bonewitz, Cadwell, Caldwell, Campbell, Cardell, Carver, Christoph, Clarke, of Iowa ; Close, Crawford, Danforth, Davisson, Day, Draper, Duncan, Duncombe, Durham, Ellsworth, Ericson, Freeman, Gear, Goodepeed, Green, Hanson, Heberling, Hopkirk, Irish, Johnston, Kasson, Keables, Leahy, Lee, Maxwell, McAllister, Miller, Morrison, Newbold, O'Donnell, Peet, Perkins, Reed, Sandry, Secor, Skillin, Stedman, Stewart, Tasker, Teale, Tufts, Tuttle, Van Meter, Van Saun, Whitten, Williams, Wilson, of Keokuk ; Wilson, of Washington ; Wood, of Story ; Wright, of Mills ; Wright, of Van Buren ; Mr. Speaker—Total, 67.

Absent or excused—

Messrs. Beatty, of Cedar ; Evans, Flenniken, Hanan, McCoy, Pratt, Reuther, Rholfs, Rule, Struthers, Van Deventer—Total, 11.

So the recommendation of the committee to indefinitely postpone did not prevail.

Mr. Davis moved to amend as follows: "That those members voting for such recess shall receive no *per diem* during such recess.

Mr. Williams moved to amend the amendment as follows: *Provided further*, that no member of the present General Assembly, shall draw from the treasury his *per diem* for ten days of the time during the recent adjournment and recess.

The motion did not prevail.

The amendment did not prevail.

The bill not receiving a majority on its engrossment was lost.

By leave, Mr. Hall introduced H. F. No. 154, A bill for an act to amend chapter 123, of the Revision of 1860.

Read a first and second time, and referred to the Judiciary Committee.



## REPORT OF COMMITTEE.

By leave, Mr. Close from Committee on Agriculture submitted the following report:

MR. SPEAKER: Your Committee on Agriculture to whom was referred H. F. No. 97, A bill for an act to protect feeders of stock, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with a substitute therefor and recommend that the substitute do pass.

C. CLOSE, *Chairman.*

On motion of Mr. Green the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, Feb. 16, 1872. }

House convened pursuant to adjournment. The Speaker in the chair.

Prayer by Rev. A. I. Craigler.

The journal of yesterday's proceedings read and approved.

## REPORTS OF COMMITTEES.

Mr. Vandeventer from the Committee on Enrolled Bills, submitted the following report.

MR. SPEAKER: Your Committee on Enrolled bills beg leave to report that they have examined H. F. No. 58, A bill for an act repealing chapter fifty-six (56) of the acts of the Eleventh General Assembly, and fixing time for holding courts in Winneshiek county, and find the same correctly enrolled.

The Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bills, to-wit:

Senate File No. 60, A bill for an act regulating taxes and the collection thereof voted to aid in the construction of railroads. Also the Joint Resolution providing for the appointment of a committee to ascertain what legislation is necessary to protect Iowa commerce, and the interests of Iowa citizens against the violation by the Union Pacific Railroad Company of the terms of their charter, and their agreement with Iowa citizens.

Also House File No. 23, A bill for An act to legalize the sale by the auditor of Washington county of, and authorize the issue of a

patent to the purchaser or his heirs or assigns for n. e.  $\frac{1}{4}$  of n. w.  $\frac{1}{4}$  of Sec. 16, tp. 74, n. of range 7, W., Washington County, Iowa.

J. VANDEVETER, *Chairman.*

Mr. Peet from Committee on Engrossed Bills submitted the following report:

MR. SPEAKER: The Committee on Engrossed Bills ask leave to report that they have examined the following bill and find the same correctly engrossed.

House file No. 99, A bill for an act to legalize the organization of the townships of Silver Lake and Lloyd in Dickinson County, Iowa.

C. T. PEET, *Chairman.*

Mr. Keables, from the Committee on Federal Relations, submitted the following report:

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred S. F. No. 49, A bill for An act giving consent to the purchase by the United States of certain real estate, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, H. F. No. 141, A bill for an act to repeal certain laws relating to the prosecution of the claims of this State against the Federal Government, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do pass.

B. F. KEABLES, *Chairman*

#### PETITIONS.

Mr. Tufts presented a petition from citizens of Cedar county, praying for a law regulating tariffs on railroads.

Mr. Mills presented a petition from citizens of Cass county, praying for restrictions on tariffs of railroads.

Referred to Committee on Railroads.

Mr. Beatty of Jasper, presented a petition from citizens of Jasper county, on the subject of illuminating fluids.

Referred to Committee on Police Regulations.

Mr. Freeman presented a petition from citizens of Scott county, on the subject of intemperance.

Referred to Committee on the Suppression of Intemperance.

Mr. Green presented the petition of citizens of Scott county, on the subject of intemperance.

Referred to Committee on Suppression of Intemperance.

Mr. Hanson presented a petition from citizens of Henry county, asking for the regulating of railroad tariffs.

Referred to Committee on Railroads.

Mr. Hall presented a petition from citizens of Des Moines county, on the subject of satisfaction of mortgages.

Referred to Committee on Judiciary.

Mr. Van Meter presented a petition from citizens of Dallas county, for change in assessment laws.

Referred to Committee on Ways and Means.

Mr. Beatty of Cedar, presented a petition from citizens of Cedar county, asking for the re-establishing of the old supervisor system.

Referred to Committee on County and Township Organizations.

Mr. Perkins presented a petition from citizens of Shelby county, on the subject of illuminating fluids.

Referred to Committee on Police Regulations.

Mr. Hanson presented a petition from citizens of Henry county, asking change in school laws.

Referred to Committee on Schools.

Mr. Van Meter presented a petition from citizens of Dallas county, in favor women suffrage.

Referred to Committee on Constitutional Amendments.

Mr. Cardell presented a petition from citizens of Grinnell, on the subject of illuminating fluids.

Referred to Committee on Police Regulations.

#### REPORTS OF COMMITTEES.

Mr. Newbold from Committee on Schools, submitted the following report:

MR. SPEAKER: Your Committee on Schools, to whom was referred H. F. No. 150, A bill for an act to pay school directors for their services, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass, with the following amendment: Strike out of the tenth line the word "twelve" and insert "eight."

J. G. NEWBOLD, *Chairman.*

Mr. Close, from Committee on Agriculture, submitted the following report:

MR. SPEAKER: Your Committee on Agriculture, to whom was referred H. F. 116, A bill for an act defining the weight of corn in the cob, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass, with the following amendment: Strike out the word "cob" in the fourth line

and insert the word "ear," and amend the title accordingly. Also, strike out the publication clause.

CLOSE, *Chairman*.

Mr. Caldwell, from Committee on Railroads, submitted the following report :

**MR. SPEAKER :** Your Committee on Railroads, to whom was referred H. F. No. 3, A bill for an act to repeal chapter 102 of the Thirteenth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, H. F. No. 10, A bill for an act to repeal chapter 48 of the acts of the 12th General Assembly, and chapter 132 of the acts of the 13th General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, H. F. No. 26, A bill for an act to amend chapter 86 of the acts of the 10th General Assembly of Iowa, approved March 28th, 1864, and legalizing contracts made within the limits of this act, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

CALDWELL, *Chairman*.

#### INTRODUCTION OF BILLS.

Mr. Davis introduced H. F. No. 155, A bill for an act to regulate the conditional sale of personal property.

Read a first and second time and referred to Judiciary Committee.

Mr. Caldwell introduced H. F. No. 156, A bill for an act to establish reasonable maximum rates of charges for the transportation of freight on the different railroads in this State.

Read a first and second time and referred to Committee on Railroads.

Mr. Ellsworth introduced H. F. No. 157, A bill for an act to abolish the office of Adjutant General, Inspector General, and Paymaster General, and to provide for the appointment of a secretary to discharge the duties of said officers.

Read a first and second time and referred to Committee on Military Affairs.

Mr. Freeman introduced H. F. No. 158, A bill for an act to amend section 2, chapter 177, of the acts of the Thirteenth General Assembly.

Read a first and second time and referred to Committee on Agriculture.

Mr. Johnston introduced H. F. No. 159, An act to amend section 1583, chapter 64 of the Revision of 1860, entitled An act for the suppression of intemperance.

Read a first and second time, and referred to Committee on Suppression of Intemperance

Mr. Paul introduced H. F. No. 160, A bill for an act to repeal part of chapter 95 of the acts of the 12th General Assembly.

Read a first and second time and referred to Committee on County and Township Organization.

Mr. Blakely introduced H. F. No. 161, A bill to establish an Independent School District in West Grove and adjoining territory in Davis County, Iowa.

Read a first and second time and referred to Committee on Schools.

Mr. Peet introduced H. F. No. 162, A bill for an act requiring applicants for damages as contemplated in sections 841 and 842 of the Revision of 1860, to give bonds for costs, growing out of such application.

Read a first and second time and referred to Committee on Roads and Highways.

Mr. Merrill introduced H. F. No. 163, A bill for an act to protect the Insane.

Read a first and second time and referred to Committee on Asylum for the Insane.

Mr. Merrell introduced H. F. No. 164, A bill for an act to equalize the rights of parents,

Read a first and second time and referred to Judiciary Committee.

Mr. Beresheim introduced H. F. No. 165, A bill for an act to protect game.

Read a first and second time and referred to Committee on Agriculture.

Mr. Wood of Clay, introduced H. F. No. 166, A bill for an act to empower Cemetery Associations to take private property and appropriate the same for cemetery purposes.

Read a first and second time, and referred to Committee on Judiciary.

Mr. Duncombe introduced H. F. No. 167, A bill for an act to amend section 2366, of the Revision of 1860, relating to estates of decedents.

Read a first and second time and referred to Judiciary Committee.

Mr. Duncombe introduced H. F. No. 168, A bill for an act to amend chapter 54, of the acts of the Thirteenth General Assembly, so as to change 3000 in section one of said act to 1000, and to change 1870 to 1872, wherever it occurs in said act.

Read a first and second time, and referred to Committee on County and Township Organizations.

Mr. Hall introduced H. F. No. 169, A bill for an act to amend chapter 98, of the acts of the Twelfth General Assembly, in relation to indebtedness of school districts.

Read a first and second time, and referred to Committee on Schools.

Mr. Hall introduced H. F. No. 170, A bill for an act regulating the escheat in Des Moines county, to John Parrott.

Read a first and second time, and referred to Judiciary Committee.

Mr. Paul introduced H. F. No. 171, A bill for an act authorizing the index to the real and chattel mortgage record in Johnson county to be copied into new books, and giving to such copies the full force and validity of the originals.

Read a first and second time.

Mr. Paul moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

Upon the question, "Shall the bill pass?" the yeas and nays were as follows—

The yeas were:

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Bergh, Blackman, Blake, Blakely, Bliss, Bonewitz, Booth, Butler, Cadwell, Caldwell, Campbell, Cardell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Davisson, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Hovey, Irish, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, Maxwell, McClure, McCoy, Merrell, Miller, Mills, Morrison, Newbold, O'Donnell, Paul, Peet, Perkins, Reed, Reuther, Rice, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Tasker, Teale, Tufts, Tuttle, Van Deventer, Van Meter, Van Saun, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Olay; Wood, of Story, Wright, of Mills; Wright, of Van Buren, and Mr. Speaker—Total, 93.

The nays were—None.

Absent or excused:

Messrs. Beresheim, Flenniken, Hanan, McAllister, Pratt, Rohlf, and Struthers—Total, 7.

So the bill passed and the title was agreed to.

Leave of absence was granted to Messrs. Close, Van Saun, McAllister, Mills, and Rule.

## RESOLUTIONS.

Mr. Secor offered the following resolution which was referred to Committee on Claims.

Joint resolution for the relief of the county of Winnebago:

WHEREAS, On the 15th day of June, 1869, burglars broke open the safe of the county of Winnebago, and abstracted therefrom the sum of about two thousand dollars; and,

WHEREAS, Of the funds so abstracted it is represented that about six hundred and fifty dollars was money collected as State revenue; therefore,

*Be it resolved by the General Assembly of the State of Iowa,* That the auditor of the State be and he is hereby authorized to credit the said county of Winnebago, in the proper revenue account, with such sum as, by the proper certificate of the Board of Supervisors of said county, shall be shown to his satisfaction to have been so abstracted of said fund, and not thereafter recovered, but in no case to exceed the sum of six hundred and fifty dollars.

Mr. Tufts offered the following resolution, which was adopted:

*Resolved,* That the Secretary of State be instructed to furnish the Committee on Claims with an eight quire Record Book, in which all claims against the State referred to that committee shall be recorded together with the report of said committee, and any other matter relating to said claim that the committee may see fit to record. The Secretary of State shall have charge of this book except when being used by the committee.

Mr. Blakely offered the following resolution:

*Be it resolved by the House, the Senate concurring,* That this General Assembly will not remain in session after the first day of April next.

Mr. Morrison moved that the resolution be referred to Committee on Reform School.

The motion prevailed.

Leave was granted Mr. Irish to introduce H. F. No. 172, A bill for an act to legalize the acts of Henry Hospers, done while acting as justice of the peace in Holland township, Siouxcounty, Iowa.

Read a first and second time, and referred to committee on Judiciary.

Mr. Draper offered the following resolution:

*Resolved,* That the janitors having equal responsibilities and duties with other officers of this House; therefore

*Resolved,* That they are and be recognized as officers of this House.

The resolution was not adopted.

Mr. Peet offered the following resolution, which was adopted:

*Resolved,* That this House direct the Committee on Public Lands to inquire into the necessity of making some uniform rule to



enable counties to sell and convey swamp lands and other real property of the counties; and report by bill or otherwise.

Mr. Wright, of Mills, offered the following resolution:

*Resolved*, That the special Committee on Fences are hereby requested to strike out sec. 1536, chap. 61, of the Revision of 1860, and insert something like the following:

When a division fence has been established between the owners of improved or unimproved lands, by agreement or otherwise, the owners and their heirs and assigns shall be bound thereby, and shall support them accordingly, but if either one of the parties desire a separation, he shall be entitled to the same with his lawful share of the partition fence by giving six months notice to the other party or parties, or their agents.

On motion of Mr. Wright the resolution was referred to special committee on H. F. No. 18.

Mr. Campbell moved to reconsider the vote by which the House refused to order engrossed H. F. No. 81.

Mr. Green moved to lay the motion on the table.

Messrs. Hopkirk and Campbell demanded the yeas and nays, which were as follows.

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Blackman, Blake, Bliss, Booth, Butler, Caldwell, Christoph, Clark, of Benton; Crawford, Davis, Davisson, Dayton, Dumont, Freeman, Green, Hall, Heberling, Hewett, Hilton, Hovey, Irish, Leahy, Litzenberg, Maxwell, McClure, Merrell, Mills, Peet, Perkins, Reuther, Rice, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stow, Tufts, Tuttle, Van Deventer, Whitten, Williams, Wilson, of Keokuk; Wood, of Clay; Wood, of Story—Total, 50.

The nays were—

Messrs. Beatty, of Jasper; Bergh, Blakely, Bonewitz, Cadwell, Campbell, Cardell, Carver, Clarke, of Iowa; Close, Danforth, Day, Draper, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Gear, Goodspeed, Hanson, Hopkirk, Johnston, Kasson, Keables, Lee, McCoy, Miller, Morrison, Newbold, O'Donnell, Paul, Reed, Stewart, Tasker, Teal, Van Meter, Van Saun, Wilson, of Washington; Wright, of Mills; Wright, of Van Buren; Mr. Speaker—Total, 43.

Absent or excused—

Messrs. Beresheim, Flenniken, Hanan, McAllister, Pratt, Rohlf, Struthers—Total, 7.

So the motion to lay on the table prevailed.

#### BILLS ON SECOND READING.

H. F. No. 83, A bill for an act to authorize county auditors to acknowledge deeds and other instruments of writing, was taken up and passed on the files.

Mr. Tuttle moved to take up H. F. No. 97, An act to protect breeders of stock.

The motion prevailed, and the substitute recommended by the committee was adopted.

Mr. Hall moved the bill be referred to Judiciary Committee, and ordered printed.

The motion prevailed.

The resolution in regard to the penalties on delinquent taxes, was taken up and indefinitely postponed.

H. F. No. 49, A bill for an act to repeal so much of chapter 118 of the Laws of the Eleventh General Assembly, as provides for the publication of the General and Local Laws in the newspapers in the several counties in this State, was taken up and considered with the substitute and report of the committee.

Mr. Kasson moved the bill be made a special order for 10 1-2 o'clock on next Wednesday.

The motion prevailed.

H. F. No. 86, A bill for an act to amend chapter 61, of the Rev. of 1860, regulating fences, was taken up and considered.

Mr. Goodspeed moved to strike out the third section.

Mr. Duncombe moved that the bill be referred to special committee on H. F. No. 18.

The motion prevailed.

H. F. No. 79, A bill for an act to amend section 828 of chapter 46 of the Revision of 1860, and repeal section 829 of said chapter, fixing the time for road commissioners to report, was taken up and considered.

Mr. Reed moved to amend by striking out the publication clause.

The motion prevailed.

The bill not receiving a majority of votes on its engrossment, was declared lost.

H. F. No. 87, A bill for an act appropriating \$10,000 to aid in completing the Washington National Monument, was taken up and considered.

Mr. Teale moved the bill be indefinitely postponed.

Mr. Cadwell moved to adjourn.

The motion prevailed, and the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES IOWA, February 17, 1872. }

House convened pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. J. G. Dimmitt.

Journal of yesterday read and approved.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER : I am directed to inform your honorable body that the Senate has passed the following bill :

House File No. 72, A bill for an act to amend section six of chapter ninety-two of the acts of the Twelfth General Assembly, entitled an act to encourage the planting and growing of timber, fruit trees, shade trees, and hedges, with the following amendments :

Strike out of the twelfth line of first section, the word "so." Insert in thirteenth line, after the word "cultivated," the words "as an orchard."

Add the following to the bill: "*And provided further*, That the owners or proprietors of nurseries for the growing of forest trees shall not be entitled to any exemptions for any trees grown for sale alone.

Also, House joint resolution in relation to certain claims against the United States, with the following amendment :

Strike out of the first line the word "ordered," and insert the word "Resolved."

In all of which amendments the concurrence of the House is asked.

J. A. T. HULL, *Secretary*.

## UNFINISHED BUSINESS.

The question recurring on the motion to indefinitely postpone H. F. 87, A bill for an act to appropriate ten thousand dollars to aid in the construction of the Washington National Monument.

Mr. Irish moved to refer the bill to Committee on Federal Relations.

The motion prevailed.

## PETITIONS.

Mr. Wright, of Mills, presented a petition from Mills county, asking for a Reform School for girls.

Referred to Committee on Reform School.

Mr. Cadwell presented a petition from citizens of Harrison county on the subject of the assessment of real estate.

Referred to Judiciary Committee.

Mr. Carver presented a petition from citizens of Wapello county in relation to fences.

Referred to Committee on Agriculture.

Mr. Hansen presented a petition from citizens of Henry county, asking for the abolishment of circuit courts.

Referred to Judiciary Committee.

Mr. Duncan presented a petition of the citizens of Louisa county, praying for the abolishment of circuit courts.

Referred to Judiciary Committee.

Mr. Tasker presented a petition from citizens of Jones county, asking for a Reform School for girls.

Referred to Committee on Reform School.

Mr. Ballinger presented a petition of the Lee county bar, asking for a law authorizing district judges to appoint short-hand reporters for their courts.

Referred to Judiciary Committee.

#### REPORTS OF COMMITTEES.

Mr. Peet, from Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER—The Committee on Engrossed Bills ask leave to report that they have examined the following bill, and find the same correctly engrossed:

H. F. No. 171, A bill for an act authorizing the indexes to the real and chattle mortgage records in Johnson county to be copied into new books, and giving to said copies the full force and validity of the originals.

C. T. PEET, *Chairman.*

Mr. Bonewitz from the Committee on County and Township Organization, submitted the following report:

MR. SPEAKER—Your Committee on County and Township Organization, to whom was referred H. F. No. 130, A bill for an act to amend section 2201 of the Revision of 1860, so as to provide for the filing of copies of bills of sale and mortgages of personal property with the township clerk, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass with certain amendments, striking out section 2 and inserting the following in section 1, after the word instrument:

And it shall be the duty of the township clerk to endorse upon the back of the original instrument the fact of such filing, with date thereof, and attach his signature thereto. And it shall be unlawful for the recorder to place any such instrument upon record in his office, unless such endorsement shall have been made by the township clerk.

P. G. BONEWITZ, *Chairman.*

Mr. Tufts from the Committee on Claims, submitted the following report:

MR. SPEAKER—Your Committee on Claims to whom was referred the claim of W. L. Thomas, for work done for Jacob Richard

on the Agricultural College, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be not allowed, for the reason that, as it appears, the State paid Richard as per contract, and the fact that Richard failed to pay Thomas is no fault of the State.

Also, H. F. 145, A bill for an act to compensate and reimburse B. F. Jenkins for material furnished and labor performed for and on behalf of the State of Iowa, in the building of a certain fort for the protection of the northern frontier, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

TUFTS, *Chairman.*

Mr. Hopkirk from the Committee on Roads and Highways, submitted the following report:

MR. SPEAKER—Your Committee on Roads and Highways, to whom was referred H. F. No. 143, A bill for an act requiring the cultivators of the osage orange hedge to trim the same, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also, House File No. 68, A bill for an act to repeal sections 7 and 8, of chapter 100, laws of the Twelfth General Assembly prescribing the duties of township trustees, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, House File No. 128, A bill for an act to amend section 824, chapter 46 of the Revision of 1860, relating to the laying out of roads, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

WILLIAM HOPKIRK, *Chairman.*

Mr. Teale from the Committee on the Suppression of Intemperance, submitted the following report:

MR. SPEAKER:—Your committee on the suppression of intemperance, to whom was referred House File No. 66, A bill for an act making persons selling, giving away, or otherwise disposing of intoxicating liquors responsible for loss or damage resulting from the use of the same, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass, with the following amendments, to-wit:

Insert the word "alcohol" after the words "spirituous liquors,"

in the second line of section three; also, insert the words "in any court having competent jurisdiction" after the words "severally," in the ninth line of section four; also, insert the word "otherwise" after the word "or," in the third line of section five; also, strike out the words "license or" in the second line of section six.

FRED. TEALE, *Chairman*.

Mr. Green, from the Committee on Constitutional Amendments, submitted the following report:

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred joint resolution agreeing to and ratifying and confirming amendments to the Constitution conferring the right of suffrage upon women, beg leave to report that they have had the same under consideration and the majority of said committee have instructed me to report the same back to the House, with the recommendation that it do pass.

Also, joint resolution proposing amendment to the Constitution of the State, viz: To strike out section 10 of act 5 relative to the Judicial Department, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

GREEN, *Chairman*.

#### INTRODUCTION OF BILLS.

Mr. Leahy introduced H. F. No. 173, A bill for an act fixing the compensation of members of the General Assembly.

Read a first and second time and referred to Committee on Compensation of Public Officers.

Mr. Wright, of Van Buren, introduced H. F. No. 174, A bill for an act to amend sec. 1, chap. 171, Acts of the 12th General Assembly relating to the Registry Law.

Read a first and second time and referred to Committee on Elections.

Mr. Stow introduced H. F. No. 175, A bill for an act providing for the Organization of Independent School Districts.

Read a first and second time, and referred to Committee on Schools, and ordered printed.

Mr. Carver introduced H. F. No. 176, A bill for an act to amend section 1317, of chapter 55, of Revision of 1860.

Read a first and second time and referred to Committee on Railroads.

Mr. Carver introduced H. F. No. 177, A bill for an act to amend section 17, chapter 173, of the 9th General Assembly.

Read a first and second time, and referred to Committee on County and Township Organizations.

Mr. Van Deventer introduced H. F. No. 178, A bill for an act to limit taxation for teachers and contingent funds in school districts.

Read a first and second time, and referred to Committee on Schools.

Mr. Irish introduced H. F. No. 179, A bill for an act providing for the submission of certain amendments to the Constitution of Iowa, to the people thereof at the next general election therein.

Read a first and second time and, on motion of Mr. Irish, was referred to Committee on Constitutional Amendments, and made a special order for next Wednesday, February 21st, at 2:30 P. M.

Mr. Peet introduced H. F. No. 180, A bill for an act to amend section 762 of the Revision of 1860.

Read a first and second time, and referred to Committee on Ways and Means.

Mr. Ericson introduced H. F. No. 181, A bill for an act for the relief of occupying claimants of lands granted to the State of Iowa.

Read a first and second time, and referred to Judiciary Committee.

Mr. Newbold introduced H. F. No. 182, A bill for an act to amend section 827, of the Revision of 1860, relating to roads and highways.

Read a first and second time, and referred to Committee on Roads and Highways.

Mr. Davisson introduced H. F. No. 183, A bill for an act to amend section 3670, chapter 146, of the Revision of 1860.

Read a first and second time, and referred to Judiciary Committee.

Mr. Hall introduced H. F. No. 184, A bill for an act providing for the construction of bridges in certain cases, and requiring the levy of taxes therefor.

Read a first and second time, and referred to Committee on Roads and Highways, and ordered printed.

Mr. Hilton introduced H. F. No. 185, A bill for an act to amend section 65, chapter 172, acts of the Ninth General Assembly.

Read a first and second time, and referred to Committee on Schools.

Mr. O'Donnell introduced H. F. No. 186, A bill for an act to amend section 1, of chapter 151, of the laws of the Ninth General Assembly in relation to widow's dower.

Read a first and second time, and referred to Judiciary Committee.

Mr. Hilton introduced H. F. No. 187, A bill for an act to repeal part of section 78, chapter 172, acts of Ninth General Assembly.

Read a first and second time, and referred to Committee on Schools.

Mr. Freeman introduced H. F. No. 188, A bill for an act to amend chapter 175, laws of the Thirteenth General Assembly.



Read a first and second time, and referred to Committee on County and Township Organizations.

Mr. Green introduced H. F. No. 189, A bill for an act to amend section 313, of the Revision of 1860.

Read a first and second time, and referred to Committee on County and Township Organizations.

Mr. Green introduced H. F. No. 190, A bill for an act to amend section 4, of chapter 148, of the laws of the Thirteenth General Assembly.

Read a first and second time, and referred to Committee on County and Township Organizations.

Mr. Reed introduced H. F. No. 191, A bill for an act to incorporate the Sabula Transit Company.

Read a first and second time, and referred to Judiciary Committee.

Mr. Blackman introduced H. F. No. 192, A bill for an act providing for a Committee on Claims, and defining duties.

Read a first and second time, and referred to Committee on Rules.

Mr. Peet introduced H. F. No. 193, A bill for an act to amend section 711, of the Revision of 1860.

Read a first and second time, and referred to Committee on Ways and Means.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER: I am directed to inform your honorable body, that the Senate has passed the following joint resolution, in which the concurrence of the House is asked :

Joint resolution asking for information in regard to the salaries paid the officers of all State Institutions.

Also, joint resolution in regard to the Warden of the Penitentiary.

W. L. VESTAL, *First Ass't Secretary.*

Mr. Van Deventer, from Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bills, to-wit :

H. F. No. 58, A bill for an act repealing chapter 56, of the acts of the Eleventh General Assembly, and fixing the time for holding courts in Winneshiek county.

Also, H. F. No. 23, A bill for an act to legalize the sale by the Auditor of Washington county, and authorize the issue of a patent to the purchaser or his assigns, for the north-east  $\frac{1}{4}$  of north west  $\frac{1}{4}$  of section 16, township 74, range 7, Washington county, Iowa.

J. VAN DEVENTER, *Chairman.*

Mr. Williams introduced H. F. No. 194, A bill for an act to amend section 40, of chapter 138, of the Twelfth General Assembly, to regulate insurance companies.

Read a first and second time, and referred to Committee on Insurance.

MESSAGES ON THE SPEAKER'S TABLE.

The joint resolution in relation to compensation of State officers and Superintendents of State Institutions, was taken up.

Mr. Leahy moved to amend so as to include all employees.

The motion prevailed.

Mr. Irish moved that the House concur in the resolution.

The motion prevailed.

The joint resolution in relation to Warden of the State Penitentiary, was taken up and adopted.

H. F. No. 72, A bill for an act to amend section 6, chapter 92, laws of the Twelfth General Assembly, entitled an act to encourage the planting and growing of timber, &c., was taken up with the amendments thereto, and considered.

On the adoption of the amendments, the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Blakely, Bliss Bonewitz, Booth, Butler, Cadwell, Caldwell, Campbell, Cardell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Crawford, Danforth, Davis, Davisson, Day, Dayton, Draper, Dumont, Duncan, Durham, Ellsworth, Ericson, Evans, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Hovey, Irish, Johnson, Kasson, Keables, Leahy, Lee, Litzenberg, Maxwell, McClure, McCoy, Merrell, Miller, Morrison, Newbold, O'Donnell, Peet, Perkins, Reed, Reuther, Rice, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Teale, Tufts, Van Deventer, Van Meter, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 94.

The nays were—None.

Absent or excused—

Messrs. Appleton, Ballinger, Close, Duncombe, Flenniken, Hannan, McAllister, Mills, Paul, Pratt, Rohlf, Rule, Struthers, Tasker, Tuttle, and Van Saun—Total, 16.

So the amendments were adopted.

Leave of absence was granted to Messrs. Duncombe and Wilson, of Washington.

Leave was granted to Mr. O'Donnell to introduce H. F. No. 195, A bill for an act to provide for the payment of the *per diem* of Martin E. Kaier, deceased.

Read a first and second time, and referred to Committee on Ways and Means.

H. F. No. 62, A bill for an act to encourage horticulture and forestry, was taken up and considered.

Mr. Irish moved to adjourn.

The motion did not prevail.

Mr. Hall moved to amend the fourth section by striking out, "by the State under the supervision of the Society," and insert in lieu thereof, "and paid for out of the money hereafter allowed."

The motion prevailed.

Mr. Draper moved that the House adjourn.

The motion did not prevail.

The bill was ordered engrossed and to be read a third time.

Mr. Irish moved that the House adjourn.

The motion did not prevail.

Leave of absence was granted to Messrs. Beatty, of Jasper, and Davisson.

H. F. No. 80, A bill for an act for the prevention of crime, and the punishment thereof, was taken up and considered, pending which, on motion of Mr. Morrison, the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
Des Moines, Iowa, February 19th, 1872. }

House convened pursuant to adjournment.

The Speaker in the chair.

Prayer by Rev. C. B. Davis.

Journal of yesterday read and approved.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER : I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked :

S. F. No. 28, A bill for an act to prevent frequent changes in school books.

Also, That the Senate has concurred in House amendments to Senate Joint Resolution in relation to inquiries concerning salaries paid certain State officers.

J. A. T. HULL, *Secretary*.

Mr. Van Deventer, from Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER : The Committee on Enrolled Bills ask leave to report that they have examined the following bill, and find the same correctly enrolled :

Joint resolution in regard to the warden of the penitentiary.

Also, Joint resolution asking information in regard to the salaries paid the officers of all State institutions.

Also, H. F. No. 72, A bill for an act to amend section 6, chapter 92, of the Laws of the Twelfth General Assembly, entitled an act to encourage the planting and growing of timber, fruit trees, shade trees and hedges.

Also, Joint resolution relative to the appointment of an agent for the collection of amount due from the United States to the State of Iowa, on account of lands conveyed to non-commissioned officers, musicians, and privates in the late Mexican war.

J. VAN DEVENTER, *Chairman.*

#### UNFINISHED BUSINESS.

H. F. No. 80, A bill for an act for the prevention of crime and the punishment thereof, was taken up and considered.

By leave, Mr. Duncombe offered the following resolution :

*Resolved*, 1. That at 2:30 o'clock P. M. of each day from and after this date, until further ordered, this House will go into Committee of the Whole to consider the Code.

2. That the Committee of the Whole will first consider those parts of the report of the Commissioners which are marked "obsolete" and "omitted," and recommend their adoption or refuse so to recommend.

3. That the Committee of the Whole will then consider in the order of the recommendations of the Commissioners, each change of the law recommended, and report in favor of the adoption, or refuse to report in favor of the adoption of such change.

4. That one or more of the Commissioners be called upon to be present, to superintend the putting in due form such parts of the Code to be enacted as a law, to be entitled "An act to provide a Code of the Laws of Iowa," as fast as the Committee of the Whole in each House shall recommend for such act any part of the report of the Commissioners.

5. That in the committee no amendments to the law shall be considered, except what are recommended by the Commissioners, unless at least two-thirds of the committee consent thereto, or unless recommended by a standing committee.

6. That as fast as the report so made in both Houses is put in form, the same shall be engrossed and enrolled, and acts which

may have been passed the present session shall be embodied in such bill as it is so enrolled.

7. That the Commissioners shall make such verbal changes as will harmonize the law without changing the substantive meaning thereof.

8. That all other legislation of this session be made by special enactment, and that after the passage of the act to provide a Code of laws for Iowa, an act be passed which shall give the Commissioners power, and make it their duty, after the adjournment of the present session of the legislature, to superintend the engrafting of all the laws of this session into the Code, not before engrafted therein, and the leaving out of such parts as shall have been made obsolete or shall have been repealed by laws passed the present session, and to superintend the printing, binding, and indexing, &c., of such Code.

Mr. Leahy moved that the resolution be postponed for one week. After discussion leave was granted to Mr. Leahy to withdraw his motion, and the resolution was adopted.

#### REPORT OF COMMITTEE.

Leave was granted to Mr. Kasson to submit the following report :

MR. SPEAKER : Your Committee on Ways and Means, to whom was referred House File No. 195, A bill for an act to provide for the payment of the per diem of Martin E. Kaier, deceased, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

KASSON, *Chairman.*

On motion of Mr. Kasson, the bill was taken up and considered.

Mr. Kasson moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows :

The yeas were :—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Blakely, Bliss, Bonewitz, Booth, Butler, Cadwell, Caldwell, Campbell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Crawford, Danforth, Davis, Day, Dayton, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Gear, Goodspeed, Hall, Hanson, Hilton Hopkirk, Hovey, Johnston, Kasson, Leahy, Lee, Litzenberg, McAllister, McClure, McCoy,

Merrill, Miller, Morrison, Newbold, O'Donnell, Peet, Perkins, Pratt, Reed, Reuther, Rice, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Tasker, Teale, Tufts, Tuttle, Van Deventer, Van Meter, Whitten, Williams, Wilson, of Keokuk; Wood, of Clay; Wright, of Mills; Wright of Van Buren, and Mr. Speaker—Total, 81.

The nays were none.

Absent or excused:

Messrs. Cardell, Close, Davisson, Draper, Green, Hanan, Heberling, Hewett, Irish, Keables, Maxwell, Mills, Paul, Rohlf, Rule, Struthers, Van Sann, Wilson, of Washington, and Wood of Story—Total, 19.

So the bill passed and the title was agreed to.

The hour having arrived for the special order, the consideration of H. F. No. 20, A bill for an act making it unlawful for any member of the General Assembly to receive mileage, postage stamps, stationery, or other perquisites to be paid for out of the State treasury, the bill was taken up.

Mr. O'Donnell moved that the special order be postponed until 11 o'clock to-morrow morning.

The motion prevailed.

Leave of absence was granted to Mr. Wood of Story.

The question recurring on the consideration of H. F. No. 80, Mr. Hopkirk moved that the bill be indefinitely postponed.

Mr. Kasson moved that the bill be referred to a committee of the whole house.

The motion prevailed.

#### PETITIONS.

Mr. Blakely presented a petition from citizens of Davis county, asking for a law for the protection of sheep against the ravages of dogs.

Referred to Committee on Agriculture.

Mr. Gear presented a petition from citizens of Des Moines county, asking for a law to tax railroads as other property.

Referred to Committee on Railroads.

Mr. Caldwell presented a petition from citizens of Wapello county against interdicting the use of ILLUMINATING FLUIDS.

Referred to Committee on Police Regulations.

Mr. Butler presented a petition from citizens of Page county against the repeal of the law authorizing the publication of laws in the several newspapers in the State.

Referred to Committee on Printing.

Mr. Stow presented a petition from citizens of Fremont county for the repeal of the liquor law.

Referred to Committee on Suppression of Intemperance.

Mr. Van Deventer presented a petition of E. Davis and others for restraining the liquor law.

Referred to Committee on Suppression of Intemperance.

Mr. Appleton presented a petition of W. F. Knowls and 100 others from Plymouth county, asking for protection from railroads.

Referred to Committee on Railroads.

Mr. Pratt presented a petition from citizens of Floyd county asking for a law regulating freights on railroads.

Referred to Committee on Railroads.

Mr. Pratt presented a petition from citizens of Floyd county asking for increased compensation for county superintendents of common schools.

Referred to Committee on Compensation of Public Officers.

#### REPORTS OF COMMITTEES.

Mr. Pratt, from Judiciary Committee, submitted the following report:

MR. SPEAKER—Your Committee on Judiciary to whom was referred House resolution, that the Committee on the Judiciary be instructed to report a bill for an act to make prosecuting witnesses liable for all costs in criminal proceedings in which the State fails to make a case, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, House File, No. 6, A bill for an act to amend chapter 79 of the Revision of 1860, creating mechanics' liens and to secure to mechanics and laboring men upon internal improvements their wages, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be amended by the adoption of the substitute herewith presented, and that the substitute do pass.

H. O. PRATT, *Chairman.*

Mr. Kasson, from Committee on Ways and Means, reported as follows:

MR. SPEAKER—Your Committee on Ways and Means, to whom was referred the remonstrance of 120 citizens of Webster county against increase of county taxation, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be passed on file, the Committee having already reported against the bill authorizing the increase.

Also, H. F. No. 85, A bill for an act to amend chapter 45 of the Revision of 1860, providing for the payment of taxes semi-annually, beg leave to report that they have had the same under



consideration and find the provisions thereof inconvenient in execution and without general benefit to the people, and have instructed me to report the same back to the House, with the recommendation that it be indefinitely postponed.

Also, H. F. No. 153, A bill for an act in relation to the collection of taxes in certain cases, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

KASSON, *Chairman.*

Mr. Carver from the Committee on Reform School, submitted the following report:

MR. SPEAKER—Your Committee on Reform School to whom was referred the resolution proposing that this General Assembly will not remain in session after the first of April next, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

JOHN H. CARVER, *Chairman.*

Mr. Hopkirk from the Committee on Roads and Highways, submitted the following report:

MR. SPEAKER—Your Committee on Roads and Highways, to whom was referred H. F. No. 131, A bill for an act to amend section 859 of the Revision of 1860, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also, H. F. No. 162, A bill for an act requiring applicants for damages, as contemplated in sections 841 and 842 of the Revision of 1860, to give bonds for costs growing out of such application, beg leave to report that they had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, H. F. No. 182, A bill for an act to amend section 827 of the Revision of 1860, relating to roads and highways, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, H. F. No. 48, A bill for an act to amend chapter 100 of the laws of the Twelfth General Assembly of the State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do not pass.

WM. HOPKIRK, *Chairman.*

Mr. Bonewitz, from the Committee on County and Township Organizations, submitted the following report:

MR. SPEAKER.—Your Committee on County and Township Organizations, to whom was referred H. F. No. 108, A bill for an act to legalize the organization of the township of Center, in O'Brien county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass with the following amendment: add to sec. 3, "without expense to the State"

Also, H. F. No. 168, A bill for an act to amend chapter 54 of the acts of the Thirteenth General Assembly, so as to change 3,000 in section 1 of said act to 1,000, and to change 1870 to 1872, when it occurs in said act, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

P. G. BONEWITZ, *Chairman.*

Leave was granted Mr. Wood of Clay, to call up H. F. No. 109, A bill for an act to legalize the organization of the township of Highland, in O'Brien county, Iowa.

Mr. Wood of Clay, moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blake, Blakely, Bliss, Bonewitz, Booth, Butler, Cadwell, Caldwell, Campbell, Carver, Christoph, Clark, of Benton; Clark, of Iowa; Crawford, Danforth, Davis, Day, Dayton, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Gear, Goodspeed, Hall, Hanson, Hilton, Hopkirk, Johnston, Kasson, Leahy, Lee, Litzenberg, McAllister, McClure, McCoy, Merrell, Miller, Morrison, Newbold, O'Donnell, Peet, Perkins, Pratt, Reed, Reuther, Rice, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Tasker, Teale, Tufts, Tuttle, Van Deventer, Van Meter, Whitten, Williams, Wilson, of Keokuk; Wood, of Clay; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 88.

The nays were—None.

Absent or excused were—

Messrs. Ainsworth, Blackman, Cardell, Close, Davisson, Draper, Green, Hanan, Heberling, Hewett, Hovey, Irish, Keables, Maxwell, Mills, Paul, Rohlf, Rule, Struthers, Van Saun, Wilson, of Washington; and Wood, of Story—Total, 22.

So the bill passed and the title was agreed to.

Leave was granted to Mr. Secor to call up H. F. No. 132, A bill for an act to legalize the plat of the village of Northwood, Worth county Iowa.

The bill was considered.

Mr. Lee moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed, and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Bereshiem, Bergh, Blake, Blakely, Bliss, Bonewitz, Booth, Butler, Cadwell, Campbell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Crawford, Danforth, Davis, Day, Dayton, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Gear, Goodspeed, Hall, Hanson, Hilton, Hopkirk, Hovey, Johnston, Kasson, Leahy, Lee, Litzenberg, McAllister, McClure, McCoy, Merrell, Miller, Morrison, Newbold, O'Donnell, Peet, Perkins, Pratt, Reed, Reuther, Rice, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Tasker, Teale, Tufts, Tuttle, Van Deventer, Van Meter, Whitten, Williams, Wilson, of Keokuk; Wood, of Clay; Wright, of Mills; Wright, of Van Buren; Mr. Speaker—Total, 79.

The nays were—none.

Absent or excused—

Messrs. Blackman, Caldwell, Cardell, Close, Davisson, Draper, Green, Hanan, Heberling, Hewett, Irish, Keables, Maxwell, Mills, Paul, Rohlf, Rule, Struthers, Van Saun, Wilson, of Washington; Wood, of Clay—Total, 21.

So the bill passed and the title was agreed to.

Leave was granted to Mr. Wood, of Clay, to call up House File No. 108, A bill for an act to legalize the organization of the Township of Centre, in O'Brien County, Iowa.

The bill was taken up and considered.

The amendment recommended by the committee was adopted.

On motion of Mr. Wood, of Clay, the rule was suspended, the bill considered engrossed, and read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Blakely, Bliss, Bonewitz, Booth, Butler, Cadwell, Caldwell, Campbell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Crawford, Danforth, Davis, Day, Dayton, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Gear, Hall, Hanson, Hilton, Hopkirk, Hovey, Johnston, Kasson, Leahy, Lee,

Litzenberg, McAllister, McClure, McCoy, Merrell, Miller, Morrison, Newbold, O'Donnell, Peet, Perkins, Pratt, Reed, Reuther, Rice, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Tasker, Teale, Tufts, Tuttle, Van Deventer, Van Meter, Whitten, Williams, Wilson, of Keokuk; Wood, of Clay; Wright, of Mills; Wright, of Van Buren; Mr. Speaker—Total, 80.

The nays were—none.

Absent or excused—

Messrs. Cardell, Close, Davisson, Draper, Goodspeed, Green, Hanan, Heberling, Hewett, Irish, Keables, Maxwell, Mills, Paul, Rohlf, Rule, Struthers, Van Saun, Wilson, of Washington; and Wood, of Story—Total, 20.

So the bill passed and the title was agreed to.

Leave was granted to Mr. Morrison to offer the following resolution, which was adopted:

*Resolved*, That this House will hold a night session Thursday night of each week, commencing at 7 P. M., for the purpose of considering bills of a local nature, and that the Chief Clerk be authorized to make a file of such bills as they come from committees.

Leave of absence was granted to Mr. Irish.

#### INTRODUCTION OF BILLS.

Mr. Lee introduced H. F. No. 196, A bill for an act authorizing secretaries of school boards to administer oath of office to sub-directors.

Read a first and second time, and referred to Committee on Schools.

Mr. Newbold introduced H. F. No. 197, A bill for an act making counties responsible for the collection and payment of school fund interest, and to amend an act for the better protection of the school fund approved April 8th, 1862.

Read a first and second time, and referred to Committee on Schools and ordered printed.

Mr. Caldwell introduced H. F. No. 198, A bill for an act to amend section 3293, of the Revision of 1860.

Read a first and second time and referred to Committee on Ways and Means.

Mr. O'Donnell introduced H. F. No. 199, A bill for an act for the protection of inn-keepers.

Read a first and second time, and referred to Committee on Police Regulations.

Mr. O'Donnell introduced H. F. No. 200, A bill for an act to repeal section 1, chapter 38, of the laws of the 13th General Assembly, in relation to independent school districts, and providing a substitute therefor.

Read a first and second time, and referred to Committee on Schools.

Leave of absence was granted to Mr. Paul.

Mr. Peet introduced H. F. No. 201, A bill for an act to amend section 4481, of the Revision of 1860.

Read a first and second time, and referred to Judiciary Committee.

Mr. Leahy introduced H. F. No. 202, A bill for an act to repeal chapter 28, laws of the 11th General Assembly, in relation to willful trespass.

Read a first and second time, and referred to Judiciary Committee.

Mr. Van Deventer introduced H. F. No. 203, A bill to provide for an act for the taking up of rafts and logs.

Read a first and second time, and referred to Judiciary Committee.

Mr. Dayton introduced H. F. No. 204, A bill entitled an act to amend section 835, of the Revision of 1860, so as to authorize road commissioners to swear their assistants.

Read a first and second time, and referred to Committee on Roads and Highways.

Mr. Tasker introduced H. F. No. 205, A bill for an act to amend section 799, of the Revision of 1860, changing the time of making semi-annual payments to the State Treasurer by County Treasurers.

Read a first and second time, and referred to Committee on Ways and Means.

Mr. Flenniken introduced H. F. No. 206, A bill for an act to amend section 1, chapter 38, of the acts of the 10th General Assembly.

Read a first and second time, and referred to Committee on Judiciary.

#### BILLS ON SECOND READING.

H. F. No. 22, A bill for an act to amend chapter 65 of the acts of the Thirteenth General Assembly, entitled streets and alleys, was taken up and considered.

Mr. Gear offered a substitute, which was adopted.

Mr. Gear moved that the bill be referred to Committee on Incorporations and ordered printed, and made the special order for Tuesday, the 27th inst., at 10:30 A. M.

The motion prevailed.

Leave was granted to Mr. Green to call up H. F. No. 17, A bill for an act to amend the present school laws so as to provide for the election of the treasurer by the people in independent school districts, and for an equal representation of sub-districts or wards in boards of directors.

Mr. Green moved to refer to Committee on Schools.  
The motion prevailed.

INTRODUCTION OF BILLS.

Leave was granted Mr. Campbell to introduce H. P. No. 207, A bill for an act changing the time and manner of administering oaths to school directors.

Read a first and second time, and referred to Committee on Schools.

On motion of Mr. Goodspeed, the House adjourned.

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TWO O'CLOCK, P. M.

The House called to order by the Speaker.

The question being the consideration of H. F. No. 54, A bill for an act to reduce the amount of postage stamps to be allowed to members of the General Assembly, the bill was taken up and considered.

Mr. Tufts moved a call of the House, which was ordered.

The clerk then proceeded to call the roll.

Mr. O'Donnell moved that further proceedings under the call be dispensed with.

The motion prevailed.

Mr. Reed moved to strike out, "*Provided*, That this limitation shall not apply to the Senators of this General Assembly until after the adjournment of the present General Assembly."

The motion prevailed.

Mr. Caldwell moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion did not prevail.

Mr. Hall moved the bill be indefinitely postponed.

Mr. Duncombe moved to amend by offering a substitute.

The substitute was adopted.

Mr. Reed moved to refer the bill to Committee on Compensation of Public Officers.

The motion prevailed.

The report of special committee on papers to be allowed to the present General Assembly, was taken up, and on motion of Mr. Kasson, was indefinitely postponed.

H. F. No. 93, A bill for an act to amend chapter 153 of the laws of the Thirteenth General Assembly in relation to circuit courts, was taken up and considered.

The amendments recommended by the committee were adopted.

The bill was ordered to be engrossed and read a third time.

Mr. Merrell moved that the rule be suspended, the bill considered engrossed and read a third time now.

The motion prevailed. The bill was read a third time.

On the question "Shall the bill pass?" the ayes and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Blakely, Bliss, Bonewitz, Booth, Butler, Caldwell, Campbell, Carver, Clarke, of Iowa; Crawford, Danforth, Davis, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Gear, Goodspeed, Hall, Hanson, Hilton, Hopkirk, Hovey, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Miller, Morrison, Newbold, O'Donnell, Paul, Peet, Perkins, Pratt, Reed, Reuther, Rice, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Teale, Tufts, Tuttle, Van Deventer, Van Meter, Whitten, Williams, Wilson, of Keokuk; Wood, of Clay; Wright, of Mills; Wright, of Van Buren; Mr. Speaker—Total, 83.

The nays were—

Messrs. Christoph, Clark, of Benton; Davisson—Total, 3.

Absent or excused—

Messrs. Cadwell, Cardell, Close, Green, Hanan, Heberling, Hewett, Irish, Mills, Rohlf, Rule, Van Saun, Wilson, of Washington; Wood, of Story—Total, 14.

So the bill passed and the title was agreed to.

House File No. 101, A bill for an act to prohibit clerks and deputy clerks of the district and circuit courts practicing as attorneys and solicitors in said courts, and prohibiting their holding the office of justice of the peace, was taken up and considered.

Mr. Campbell moved to strike out that portion which refers to holding the office of justice of the peace.

Mr. Duncombe moved to amend the amendment as follows: "*Provided*, That this act shall not effect any person now holding the office of clerk or deputy clerk, and justice of the peace."

The amendment to the amendment was adopted.

The amendment was adopted.

The bill was ordered engrossed and read a third time.

Mr. Merrell moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed. The bill was read a third time.

Mr. Pratt moved to reconsider the vote by which the bill was read a third time.

The motion prevailed.

Mr. Pratt moved to reconsider the vote by which the bill was ordered engrossed and read a third time.

The motion prevailed.



Mr. Pratt moved to reconsider the vote by which the amendment as amended was adopted.

The motion prevailed.

By leave of the House, Mr. Campbell withdrew his motion to amend by striking out.

Mr. Campbell moved that the rule be suspended, the bill be considered engrossed and read a third time now.

The motion prevailed.

The bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Blakely, Bliss, Bonewitz, Booth, Butler, Cadwell, Caldwell, Campbell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Crawford, Danforth, Davis, Davisson, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Gear, Goodspeed, Hall, Hanson, Hilton, Hopkirk, Hovey, Johnston, Kasson, Keables, Leahy, Lee, Litzenburg, Maxwell, McAllister, McClure, McCoy, Merrell, Miller, Morrison, Newbold, O'Donnell, Paul, Peet, Perkins, Pratt, Reed, Reuther, Rice, Sandy, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Teale, Tufts, Tuttle, Van Deventer, Van Meter, Whitten, Williams, Wilson, of Keokuk; Wood, of Clay; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 87.

The nays were—None.

Absent or excused—

Messrs. Cardell, Close, Green, Hanan, Heberling, Hewett, Irish, Mills, Rohlf, Rule, Van Saun, Wilson, of Washington; and Wood, of Story—Total, 18.

So the bill passed and the title was agreed to.

H. F. No. 59, A bill for an act providing for the establishment of temporary county seats in newly organized counties, &c., with the substitute recommended by the committee, was taken up and considered.

Mr. Ainsworth moved to refer the bill back to the Committee on New Counties.

The motion prevailed.

H. F. No. 25, A bill for an act to abolish the office of county superintendent of common schools, was taken up and considered.

Mr. Tufts moved the bill be indefinitely postponed.

Mr. Reed moved to recommit to Committee on Schools.

The motion prevailed.

H. F. No. 55, A bill for an act amendatory to an act defining the duties of superintendents of common schools, was taken up and considered.

Mr. Clarke of Iowa, moved to suspend the rule, consider the bill engrossed, and read a third time now.

Mr. Hall moved to refer the bill back to Committee on Schools.

The motion to suspend the rule did not prevail.

The motion to recommit to Committee on Schools prevailed.

H. F. No. 43, A bill for an act to change the time of electing county superintendents of schools, was taken up and considered.

On motion of Mr. Blake the bill was indefinitely postponed.

H. F. No. 76, A bill for an act to amend section 710 of the Revision of 1860, an act in relation to revenue, was taken up and considered.

Mr. Beatty of Cedar moved that the bill be indefinitely postponed.

The motion prevailed.

H. F. No. 78, A bill for an act relating to taxes for bridge purposes, was taken up and considered.

The amendments recommended by the committee were adopted.

The bill was ordered to be engrossed and read a third time.

Mr. Kasson moved that the rule be suspended, the bill considered engrossed and read a third time now.

The motion prevailed.

The bill was read a third time.

Upon the question, "Shall the bill pass?" the yeas and nays were as follows—

The yeas were:—

Messrs. Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Bliss, Bonewitz, Booth, Butler, Cadwell, Caldwell, Campbell, Cardell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Davisson, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Gear, Goodspeed, Hall, Hanson, Hewett, Hilton, Hopkirk, Hovey, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, Merrell, Miller, O'Donnell, Paul, Peet, Perkins, Reuther, Rice, Sandry, Secor, Stedman, Struthers, Tasker, Teale, Tuttle, Van Deventer, Van Meter, Van Saun, Williams, Wood, of Clay; Wright, of Van Buren, and Mr. Speaker—Total, 74.

The nays were:—

Messrs. Ainsworth, Blakely, Freeman, McCoy, Morrison, Pratt, Reed, Schweer, Skillin, Stewart, Stow, Tufts, Wilson, of Keokuk; and Wright, of Mills—Total, 14.

Absent or excused:

Messrs. Blake, Green, Hanan, Heberling, Irish, Mills, Newbold, Rohlf, Rule, Whitten, Wilson, of Washington, and Wood, of Story—Total, 12.

So the bill passed and the title was agreed to.

On motion of Mr. Butler the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, February 20, 1872. }

House convened pursuant to adjournment.

The Speaker in the chair.

Prayer by Rev. C. B. Davis.

The journal of yesterday read and approved.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER :—I am directed to inform your honorable body that the Senate has passed the following bills and joint resolution, in which the concurrence of the House is asked:

H. F. No. 112, A bill for an act to allow all appeals to the Supreme Court from Tama county to be taken to the argument terms held at Des Moines instead of Dubuque, and to transfer all causes pending therein.

Joint resolution in relation to the various Indian tribes.

Also, the following bill without amendment:

H. F. No. 195, A bill for an act to provide for the payment of the per diem of Martin E. Kaier, deceased.

J. A. T. HULL, *Secretary*.

PETITIONS.

Mr. Beresheim presented petitions from citizens of Pottawattamie county, in regard to dividing said county.

Referred to Committee on New Counties.

Mr. Wilson, of Washington, presented a petition from citizens of Washington county, on the subject of intemperance.

Referred to Committee on Suppression of Intemperance.

Mr. Dumont presented a petition from citizens of Butler county for a law regulating tariffs on railroads.

Referred to Committee on Railroads.

Mr. Kasson presented the petition of citizens of Polk county on the subject of illuminating fluids.

Referred to Committee on Police Regulations.

Mr. Whitten presented a petition from citizens of Van Buren county, asking for a change in the constitution so as to abolish the grand jury.

Referred to Committee on Constitutional Amendments.

Mr. Morrison presented a petition from citizens of Keokuk county, asking for a law for the protection of game.

Referred to Committee on Agriculture.

Mr. Kasson presented a petition from citizens of Polk county, praying for a law to exempt certain manufacturing interests from taxation.

Referred to Committee on Constitutional Amendments.

Mr. Close presented the report of the Agricultural Society of Memphis, Tennessee, with a letter from them in regard to an international society.

Referred to Committee on Agriculture.

Mr. Tuttle presented a petition from citizens of Polk county, asking for a law for the better education of practitioners of dentistry.

Referred to Committee on Medical Institutions.

Mr. Struthers presented a petition from citizens of Kossuth county for relief of citizens of Algona in relation to the organization of said town.

Referred to Committee on Incorporations.

Mr. Bliss presented a remonstrance from citizens of Hardin county against the adoption of H. F. No. 56, in regard to the board of directors of the independent school district of Steamboat Rock.

Referred to Committee on Schools.

Mr. Bliss presented a petition from citizens of Hardin county for a law regulating tariffs on railroads.

#### REPORTS OF COMMITTEES.

Mr. Butler, from the Committee on Police Regulations, submitted the following report:

MR. SPEAKER:—Your Committee on Police Regulations, to whom was referred H. F. No. 96, A bill for an act to prevent the manufacture and sale of dangerous illuminating fluids, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

WM. BUTLER, *Chairman*.

Mr. Peet, from Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER:—The Committee on Engrossed Bills ask leave to report that they have examined the following bills, and find the same correctly engrossed:

H. F. No. 109, A bill for an act to legalize the organization of the township of Highland, in O'Brien county, Iowa.

Also, H. F. No. 132, A bill for an act to legalize the plat of the village of Northwood, in Worth county, Iowa, and to legalize all conveyances of lots heretofore made by the number of lots and blocks as now specified in said plat.

C. T. PEET, *Chairman*.

Mr. Bonewitz, from the Committee on County and Township Organizations, submitted the following report:

MR. SPEAKER:—Your Committee on County and Township Organizations, to whom was referred H. F. No. 140, A bill for an act to authorize boards of supervisors to cancel county warrants in certain cases, and defining the limitation of such warrants, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it be indefinitely postponed.

Also, H. F. No. 78, A bill for an act to amend section 2, chapter 173, of the laws of the Ninth General Assembly, in regard to township assessors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, H. F. No. 51, A bill for an act to amend section 2, chapter 173, Ninth General Assembly, and to harmonize the office of town and city assessor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the house with the recommendation that it do pass.

P. G. BONEWITZ, *Chairman.*

Mr. Pratt, from Special Committee, submitted the following report on the resolution authorizing certain committees to employ clerks:

MR. SPEAKER:—Your Committee, consisting of the chairmen of the Committees on Judiciary, Schools, Railroads, Ways and Means, to whom was referred a resolution to authorize the chairmen of said committees to employ a clerk for the use of said committees, whose compensation shall not exceed three dollars per day, beg leave to report that they have had said resolution under consideration, and have instructed me to report the same back to the House with the recommendation that it be adopted.

H. O. PRATT,  
*For the Committee.*

Mr. Pratt moved that the resolution be adopted.

The motion prevailed.

Mr. Pratt, from Judiciary Committee, submitted the following report:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 129, A bill for an act to amend section three of chapter 158 of the laws of the Thirteenth General Assembly, in relation to reading wills, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, H. F. No. 159, A bill for an act to amend section 1583 of chapter 64, of the Revision of 1860, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be referred to the Committee on the Suppression of Intemperance as the appropriate committee to consider the subject matter thereof.

On motion of Mr. Pratt the bill was referred to Committee on Suppression of Intemperance.

Also, H. F. No. 107, A bill for an act in relation to taxes voted in aid of Railroads, and to authorize their transfer from one road to another, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be referred to the Committee on Railroads, as the proper committee to consider the same.

On motion of Mr. Pratt the bill was referred to Committee on Railroads.

Also, H. F. No. 41, A bill for an act to enable associations to raise funds to be loaned among their members for building homesteads and for other purposes, to become a body corporate, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended by adding after the word "corporation" in the fourth line of the first section, the words "and to other persons."

2d. That section two of said bill be amended by adding after the word "paid" in the sixth line thereof, the words "by members."

3d. That said bill be amended by striking out the third section thereof.

4th. That said bill be amended by striking out section four and inserting instead thereof the written section four herewith presented, and when so amended that the bill do pass.

Also, H. F. No. 164, A bill for an act to equalize the rights and responsibilities of parents, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, S. F. No. 20, A bill for an act to amend section 2524 of the Revision of 1860, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, H. F. No. 147, A bill for an act to legalize the acts of Robert E. Montgomery, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended by adding to section one of said bill the words "as if

said acts had been done by said deputy in the life time of said clerk," and when so amended that it do pass.

H. O. PRATT, *Chairman*.

Mr. Newbold from Committee on Schools, submitted the following report:

MR. SPEAKER:—Your Committee on Schools, to whom was referred H. F. No. 207, A bill for an act changing the time and manner of administering oaths to school directors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass, with the following amendments: After the word director, in the fifth line, section one, insert the word "elect;" also add publication clause.

J. G. NEWBOLD, *Chairman*.

Mr. Campbell moved to take up H. F. No. 207, A bill for an act changing the time and manner of administering oaths to school directors.

The motion prevailed and the bill was taken up and considered.

The amendment recommended by the committee was considered.

Mr. Danforth moved to amend as follows: That the oath of office be administered by the secretary of the district board, and that he keep a record of the same.

The motion did not prevail.

The amendments recommended by the committee were adopted.

Mr. Campbell moved to amend by adding to the third line, "or director elect."

The motion prevailed.

Mr. Campbell moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed, and the bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Blakely, Bliss, Bonewitz, Booth, Butler, Cadwell, Caldwell, Campbell, Cardell, Carver, Christoph, Clark, of Benton; Close, Crawford, Danforth, Davis, Davison, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Hovey, Irish, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, Maxwell, McClure, McCoy, Merrell, Miller, Mills, Newbold, O'Donnell, Paul, Peet, Perkins, Reed, Reuther, Rice,



Rohlf, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Teale, Tufts, Tuttle, Van Deventer, Van Meter, Van Saun, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wright, of Mills; Wright, of Van Buren—Total, 94.

The nays were—Mr. Pratt.

Absent or excused—

Messrs. Clarke, of Iowa; Hanan, McAllister, Morrison, Wood, of Story; and Mr. Speaker—Total, 6.

So the bill passed, and the title was agreed to.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following resolution, in which the concurrence of the House is asked:

Resolution in relation to the binding of the report of the Codifying Commissioners.

Resolution herewith subscribed.

C. V. GARDNER, *2d Asst. Secretary.*

The hour having arrived for the consideration of the special order,—H. F. No. 20, A bill for an act making it unlawful for any members of the General Assembly to receive mileage, postage stamps, stationery or other perquisites to be paid for out of the State Treasury, the bill was taken up and considered.

Leave was granted to Mr. Beresheim to offer the following joint resolution, which was adopted:

A Joint Resolution, instructing our Senators and requesting our Representatives in Congress to take such action as will secure the eastern terminus of the Union Pacific Railroad in Iowa, according to the terms and conditions of the Act of Congress providing therefor, and protesting on behalf of the State of Iowa against the action of that Company, in making a contract with Omaha, providing "That the eastern terminus shall be and remain in said city of Omaha," and for other purposes.

WHEREAS, The Act of Congress under which, with amendments thereto, the Union Pacific Railroad was constructed, provided "That the said Union Pacific Railroad Company is hereby authorized and required to construct a single line of railroad and telegraph from a point on the *Western boundary of the State of Iowa*, to be fixed by the President of the United States."

WHEREAS, Abraham Lincoln, President of the United States, did, on the 7th day of March, 1864, establish that point on the western boundary of the State of Iowa, east of and opposite the

east line of section 10, in township 15, north of range 13, east of the sixth principal meridian, in the Territory of Nebraska; and

WHEREAS, Congress in 1864, in order to enable said Company "*To make convenient and necessary connections with other roads,*" authorized said Company "to establish and maintain all necessary ferries upon and across the Missouri river," and "to construct bridges over said Missouri river," and provided by said Act of Congress, that such bridge "*shall be built, kept and maintained at the expense of said Company; and,*

WHEREAS, Congress authorized said Company "for the more perfect connection of any railroads that are, or shall be constructed *to the Missouri river,*" to issue such bonds and secure the same by mortgage on the bridge and approaches and appurtenances as it may deem needful to construct and maintain its bridge over said river, and the tracks and depots required to perfect the same, as now authorized by act of Congress,"

"*Provided, That nothing in this act shall be construed so as to change the eastern terminus of the Union Pacific Railroad from the place where it is now fixed under existing laws,*" and

WHEREAS, Said Company was by act of Congress, required to operate said road, "as one continuous line;" and

WHEREAS, By contract made in January, 1872, between said company and the city of Omaha, said company agreed with said city "that the eastern terminus of the Union Pacific Railroad shall be and remain at said city of Omaha," and expressly provided that said company will "transfer upon said grounds" in Omaha "all its passengers, baggage, express matter, mails, and freight, north, south, or east bound," all of which is in direct and flagrant violation of the spirit and letter of the law, and in direct conflict with the acts of Congress, creating and giving aid to said company, and in direct conflict with the agreement and understanding between said company and the city of Council Bluffs; and

WHEREAS, Congress provided in the original act to "aid in the construction of" this railroad, "that in case said company shall fail to comply with the terms and conditions of this act by not completing said road and telegraph and branches within a reasonable time, or by not keeping the same in repair and use, but shall permit the same for an unreasonable time to remain unfinished, or out of repair, and unfit for use, Congress may pass any act to insure the speedy completion of said road and branches, or put the same in repair and use, and may direct the income of said railroad and telegraph line to be thereafter devoted to the use of the United States, to repay all such expenditures, caused by the default and neglect of said company, etc."

*Therefore be it resolved by the General Assembly of Iowa, That our senators be instructed, and our representatives requested to use their influence to protect the State of Iowa in her rights in continuing the eastern terminus of the Union Pacific Railroad*

within her boundary as provided by law, and that they exercise their full powers in securing a full and complete investigation of all the matter herein referred to; and in case it is found necessary in order to compel the Union Pacific Railroad Company to carry out according to the spirit and letter of the law, the construction, completion and operation of their road so as to make the terminus thereof *in fact* in Iowa, and the transfers from the Iowa railroads, *in fact* in Iowa, that they take the necessary steps to secure such congressional action as will by means of "the use of the income of said railroad," or by such other means as they may deem most effectual in securing the object, complete said road into Iowa, and will provide all necessary buildings, tracks and improvements in Iowa for the transfer of all passengers, freights, mails, express matters and business in said State of all Iowa railroads.

*Be it further resolved by the General Assembly of Iowa*, That we now enter our solemn protest against the unqualified and unmistakable fraud attempted to be perpetrated on our State, her people, and her railroad companies by the flagrant violation of law, by said Union Pacific Railroad Company in the contract above referred to, with the city of Omaha.

*Resolved*, That the Secretary of State furnish a copy of these resolutions to each of our Senators and Representatives in Congress, and to each of the Government Directors of the Union Pacific Railroad Company.

Leave was granted to Mr. Goodspeed to call up H. F. No. 62.

On motion of Mr. Goodspeed the bill was referred to Committee on Horticulture.

Leave of absence was granted Mr. McAllister.

The question recurring on the consideration of H. F. No. 20, Mr. Hovey moved to amend as follows:

"And members shall only receive *per diem* for such time as they shall actually be present at a session of the legislature and for such time, at a rate not to exceed one dollar per day."

Mr. Hall moved that the bill be indefinitely postponed.

Mr. Peet moved moved to refer to Committee on Charitable Institutions.

On the motion to refer, Mr. Irish demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Ballinger, Olose, Draper, Hall, Morrison, Peet, Reed, Renther, Rohlf, Schweer, Whitten, and Williams—Total, 12.

The nays were:

Messrs. Ainsworth, Appleton, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Blakely, Bliss, Bonewitz, Booth, Butler, Cadwell, Caldwell, Campbell, Cardell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Crawford, Danforth, Davis, Davisson, Day, Dayton, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman,

Gear, Goodspeed, Green, Hanson, Heberling, Hewett, Hilton, Hopkirk, Hovey, Irish, Johnson, Kasson, Keables, Leahy, Lee, Litzenberg, Maxwell, McClure, McCoy, Merrell, Miller, Mills, Newbold, O'Donnell, Paul, Perkins, Pratt, Rice, Rule, Sandry, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Teal, Tufts, Tuttle, Van Deventer, Van Meter, Van Saun, Wilson, of Keokuk; Wilson of Washington; Wood, of Clay; and Wright, of Van Buren—Total, 83.

Absent or excused—

Messrs. Hanan, McAllister, Wood, of Story. Wright, of Mills; and Mr. Speaker—Total, 5.

So the motion to refer did not prevail.

Mr. Duncombe moved to recommit to Committee on the Compensation of Public Officers.

The motion prevailed.

Mr. Irish moved to reconsider the vote by which the bill was referred.

The motion did not prevail.

#### REPORTS OF COMMITTEES.

By leave, Mr. Newbold, from Committee on Schools, submitted the following report:

MR. SPEAKER:—Your Committee on Schools to whom was referred House File No. 196, A bill for an act to authorize secretaries of school boards to administer oaths of office to sub-directors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, H. F. No. 161, A bill for an act to establish an independent school district in West Grove and adjoining territory, in Davis county, Iowa, beg leave to report that that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

J. G. NEWBOLD, *Chairman.*

By leave, Mr. Close, from Committee on Agriculture, submitted the following report:

MR. SPEAKER:—Your Committee on Agriculture, to whom was referred H. F. No. 113, A bill for an act in relation to partition fences, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

C. CLOSE, *Chairman.*

Mr. Van Deventer, from Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills ask leave to report that they have examined the following bill, and find the same correctly enrolled.

H. F. No. 195, A bill for an act to provide for the payment of the *per diem* of Martin E. Kaier, deceased.

J. VAN DENENER, *Chairman.*

#### INTRODUCTION OF BILLS.

Mr. Mills introduced H. F. No. 208, A bill to restore territory set off for school purposes.

Read a first and second time, and referred to Committee on Schools.

Mr. Blakely introduced H. F. No. 209, A bill for an act to tax dogs for the protection of sheep.

Read a first and second time, and referred to Committee on Agriculture.

Mr. Rohlf's introduced H. F. No. 210, A bill for an act to provide for the compilation and publication of the laws regulating the duties of township clerks and township trustees, and distribution of the same.

Read a first and second time, and referred to Committee on County and Township organizations.

By leave, Mr. Irish moved that House Files pertaining to the subject of intemperance, be made a special order for Thursday, the 29th, at 10:30 A. M.

The motion prevailed.

Mr. Close introduced H. F. No. 211, A bill for an act to amend section 2, chapter 89, of the laws of the Thirteenth General Assembly, in relation to the township board of equalization.

Read a first and second time, and referred to Committee on County and Township Organizations.

Mr. Kasson introduced H. F. No. 212, A bill for an act to legalize the formation of independent school-district No. 1, in Bloomfield township, &c.

Read a first and second time, and referred to Committee on Schools.

Mr. Kasson introduced H. F. No. 213, A bill for an act to legalize the organization of the Independent School District of Elm Grove, &c.

Read a first and second time, and referred to Committee on Schools.

Mr. Hopkirk introduced H. F. No. 214, A bill to prohibit legislators and judicial officers from receiving free passes from railroad companies.

Read a first and second time, and referred to Committee on Railroads.

Mr. Clarke of Iowa, introduced H. F. No. 215, A bill for an act regulating the division of teacher's funds of district townships, and defining the duties of officers therein.

Read a first and second time, and referred to Committee on Schools.

Mr. Ainsworth introduced H. F. No. 216, A bill for an act fixing the time of holding District Courts in Chickasaw county, Iowa, and repealing paragraph 6, of section 15, chapter 98, of acts of the Tenth General Assembly.

Read a first and second time, and referred to Committee on Judiciary.

Mr. Keables introduced H. F. No. 217, A bill for an act to encourage and promote manufacturing in the State of Iowa.

Read a first and second time, and referred to Committee on Domestic Manufactures.

Mr. Lee moved to adjourn.

The motion did not prevail.

By leave Mr. Pratt called up Senate resolution relating to the report of Code Commissioners.

On motion of Mr Pratt the House concurred in the resolution.

On motion of Mr. Lee the House adjourned.

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#### AFTERNOON SESSION.

2 O'CLOCK, P. M.

House called to order by the Speaker.

#### MESSAGES ON THE SPEAKER'S TABLE.

The joint resolution in reference to Indian tribes, was taken up and concurred in by the House.

S. F. No. 112, A bill for an act to allow all appeals to the Supreme Court from Tama county, to be taken to the argument terms at Des Moines, instead of Dubuque, and to transfer all cases pending therein, was taken up and considered.

Mr. Kasson moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Blakely, Bliss, Bonewitz, Booth, Butler, Cadwell, Caldwell, Campbell, Cardell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa, Close, Crawford, Danforth, Davis, Davisson, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Gear, Goodspeed, Hall, Hanson, Hewett, Hilton, Hopkirk, Hovey, Irish, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, Maxwell, McClure, McCoy, Merrell, Miller, Mills, Morrison, Newbold, O'Donnell, Peet, Perkins, Pratt, Reed, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Seer, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Teale, Tufts, Tuttle, Van Deventer, Van Meter, Van Saun, Whitten, Williams, Wilson, of Keokuk; Wood, of Clay; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 93.

The nays were—None.

Absent or excused—

Messrs. Green, Hanan, Heberling, McAllister, Paul, Wilson, of Washington; and Wood, of Story—Total, 7.

So the bill passed and the title was agreed to.

#### REPORT OF COMMITTEE.

Leave was granted to Mr. Pratt to submit the following report—submitting Committee Bill, H. F. No. 218.

MR. SPEAKER:—Your Committee on the Judiciary, to whom was referred a petition for an act to enable municipal corporations to compromise, renew or extend the time of payment of their debts, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the accompanying bill, and recommend that said bill do pass.

H. O. PRATT, *Chairman.*

H. F. No. 218, A bill for an act to enable cities, towns and counties to settle, adjust and compound their indebtedness, and provide for the payment of the same, was read a first and second time.

Mr. Kasson moved to amend as follows: "Not including warrants or other evidences of indebtedness for current expenses."

The motion prevailed.

Mr. O'Donnell moved that the rule be suspended, the bill considered engrossed and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:



The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Blakely, Bonewitz, Booth, Butler, Cadwell, Caldwell, Campbell, Cardell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Davisson, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Gear, Goodspeed, Hall, Hanson, Heberling, Hewitt, Hilton, Hopkirk, Hovey, Irish, Johnson, Kasson, Leahy, Lee, Litzenberg, Maxwell, McClure, McCoy, Merrell, Miller, Mills, Morrison, Newbold, O'Donnell, Paul, Peet, Perkins, Pratt, Reed, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Teal, Tufts, Tuttle, Van Deventer, Van Meter, Whitten, Williams, Wilson, of Keokuk; Wood, of Clay; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 92.

The nays were none.

Absent or excused—

Messrs. Bliss, Green, Hanan, Keables, McAllister, Van Saun, Wilson, of Washington; and Wood, of Story—Total, 8.

So the bill passed, and the title was agreed to.

Mr. Leahy moved to reconsider the vote by which the House adopted the resolution in reference to considering the report of the Code Commissioners.

Mr. Duncombe moved to postpone the consideration of the motion to reconsider until next Monday.

The motion prevailed.

Mr. Kasson moved that the House resolve itself into Committee of the Whole.

The motion prevailed, and the Speaker called Mr. Kasson to the Chair.

The committee rose, asked leave to sit again, and reported progress, as follows:

MR. SPEAKER:—The Committee of the whole House have had under consideration the report of the commissioners to revise and re write the statutes, have made some progress therein, and ask leave to sit again.

KASSON, *Chairman*.

S. F. No. 28, A bill for an act to prevent frequent changes in school books, was taken up and read a first and second time.

Mr. Leahy moved to strike out "three years" and insert "two years."

Mr. Irish moved to amend the amendment by inserting "five years" instead of "two years."

Mr. Close moved to refer to Committee on Schools.

The motion prevailed.

## BILLS ON SECOND READING.

H. F. No. 60, A bill for an act to amend section 307 of the Revision of 1860, was taken up and considered, and in accordance with the recommendation of the committee was indefinitely postponed.

H. F. No. 135, A bill for an act to repeal section 1804 of the Revision of 1860, in relation to days of grace, was taken up and considered.

Mr. Duncombe moved that the bill be referred to Committee on Judiciary.

The motion prevailed.

H. F. No. 112, A bill for an act to repeal chapter 61, laws of the Eleventh General Assembly, and section 3, chapter 160, of the laws of the Twelfth General Assembly, was taken up and considered.

Mr. Ainsworth moved that the bill be indefinitely postponed.

The motion prevailed.

H. F. No. 85, A bill for an act to authorize county auditors to acknowledge deeds and other instruments, was taken up, and on motion of Mr. Hewett, was passed upon the files.

S. F. No. 49, A bill for an act giving consent to the purchase by the United States of certain real estate, was taken up and considered.

The bill was ordered engrossed, and read a third time.

H. F. No. 141, A bill for an act to repeal certain laws relating to the prosecution of certain claims against the federal government, was taken up and considered.

The bill was ordered engrossed, and read a third time.

H. F. No. 151, A bill for an act to pay school directors for their services, was taken up and considered.

The amendment recommended by the committee was adopted.

Mr. Irish moved that the bill be indefinitely postponed.

The motion prevailed.

On motion of Mr. Teale, the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, {  
DES MOINES, IOWA, February 21, 1872. }

House convened pursuant to adjournment.

The Speaker in the chair.

Prayer by Rev. C. B. Davis.

Journal of yesterday read and approved.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER :—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked :

Senate File No. 8, A bill for an act to enable civil townships to adopt the provisions of chapter 26, of the laws of the Thirteenth General Assembly, entitled an act to restrain stock from running at large.

I am also directed to inform your honorable body that the Senate has passed without amendment the following joint resolution, viz :

Joint resolution asking Congress to pass a law granting one hundred acres of land to honorably discharged soldiers and sailors of the war of the rebellion.

Also, that the Senate has amended House amendments to substitute for S. F. No. 1, as noted in the bill, and as thus amended has concurred in the same, and respectfully asks the concurrence of the House in said amendments.

J. A. T. HULL, *Secretary.*

By leave, Mr. Pratt, from Committee on Judiciary, submitted the following report :

## REPORT OF COMMITTEE.

MR. SPEAKER :—Your Committee on the Judiciary, to whom was referred House File No. 216, A bill for an act to fix the time for holding district courts in Chickasaw county, and repealing paragraph six, of section fifteen, chapter ninety-eight of the acts of the Tenth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

H. O. PRATT, *For Committee.*

H. F. No. 216, A bill for an act fixing the time of holding district courts in Chickasaw county, Iowa, was taken up and considered.

Mr. Ainsworth moved to amend by striking out of section three, the words "ninety-six," and insert in lieu thereof the words "ninety-eight."

The motion prevailed.

Mr. Pratt moved that the rule be suspended, the bill be considered engrossed and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Blakely, Bliss Bonewitz, Booth, Butler, Cadwell, Caldwell, Campbell, Cardell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Davisson, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Fleeniken, Gear, Goodspeed, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Hovey, Irish, Johnson, Kasson, Keables, Leahy, Lee, Litzenberg, McClure, McCoy, Merrell, Miller, Mills, Newbold, O'Donnell, Paul, Peet, Perkins, Pratt, Reed, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Tufts, Van Deventer, Van Meter, Van Saun, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 89.

The nays were—None.

Absent or excused—

Messrs. Ballinger, Day, Freeman, Green, Hannan, Maxwell, McAllister, Morrison, Teale, Tuttle, and Wood, of Story—Total, 11.

So the bill passed and the title was agreed to.

Leave was granted Mr. Duncombe to introduce H. F. No. 219, A bill for an act to pay John Garraghty for legal services performed for the State of Iowa.

The bill was read a first and second time, and referred to Committee on Claims.

Leave was granted Mr. Duncombe to offer the following resolution, which was adopted:

*Resolved*, That the Sargeant-at-Arms be required to furnish this floor with seats for the Code Commissioners, with the necessary stationary for their use.

The hour having arrived for the consideration of the special order, H. F. No. 49, A bill for an act to repeal so much of chapter 118, of the laws of the Eleventh General Assembly, as provides for the publication of the general and local laws in the newspapers of the several counties of the State of Iowa.

On motion of Mr. Kasson, the bill was taken up and considered, together with the substitute therefor.

Mr. Keables moved to amend by striking out the words "the German," and inserting the words "a foreign."

The motion prevailed.

Mr. Ellsworth moved to amend so as to read "the largest circulation in the county where published."

The motion did not prevail.

Mr. Clark moved to amend by substituting for section 3, as follows:

"The board of supervisors in each organized county in this State, wherein one or more newspapers are printed and regularly published, shall at their meeting in the month of June, A. D. 1872, and annually thereafter, select the newspaper having the largest circulation in the county, and such other paper or papers published in the county as they may elect, in which said paper or papers shall be published all the proceedings of the board of supervisors of such county, or such report or abstract thereof as shall inform the people of the business transacted by the board since the last previous publication thereof."

The motion did not prevail.

Mr. Hall moved to amend section 2, by adding after the proviso, "that in counties where there are papers representing opposite political parties, a paper of each party shall be chosen."

The motion prevailed.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body, that the Senate has passed the following resolution, in which the concurrence of the House is asked:

Resolution in relation to binding two hundred copies of the statutes reported by the Codifying Commissioners.

The resolution is herewith submitted.

C. V. GARDNER, *Second Ass't Secretary.*

Mr. Clark, of Benton, moved to amend by adding at the end of section 2 the following:

*Provided further,* That the board of supervisors may order the publication of their proceedings in more than two papers, when there are more than two published in the county, the total cost of such publication not to exceed the sum which would be paid to two under the provisions of this act.

The motion prevailed.

Mr. Davis moved to amend as follows: After the word "circulation," add "one of which shall be published at the county seat, if there be such paper published at the county seat."

The motion prevailed.

Mr. Irish moved that the bill with the amendments be recommended to Committee on Ways and Means.

Mr. Blackman moved that the committee be instructed to strike out that part that relates to publication of the proceedings of boards of supervisors.

The motion did not prevail.

Mr. Pratt offered the following amendment: With instruction.

to report a bill which shall provide for the publication of such acts of a general nature as the Census Board of the State shall determine to be proper for general information prior to the publication of the laws in book form.

REPORT OF COMMITTEE.

Mr. Peet, from Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER—Your Committee on Engrossed Bills ask leave to report that they have examined the following bills and find the same correctly engrossed:

H. F. No. 78, A bill for an act relating to taxes levied for bridge purposes.

H. F. No. 93, A bill for an act to amend chapter 153 of the laws of the Thirteenth General Assembly, in relation to circuit courts and juries therein.

H. F. No. 108, A bill for an act to legalize the organization of the township of Center, in O'Brien county, Iowa.

H. F. No. 207, A bill for an act changing the time and manner of administering official oaths to school directors.

C. T. PEET, *Chairman.*

Upon the motion to instruct, Mr. Caldwell demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Appleton, Beresheim, Blackman, Blake, Bliss, Bonewitz, Booth, Butler, Cadwell, Cardell, Christoph, Clarke, of Iowa; Davisson, Dumont, Duncombe, Ericson, Freeman, Heberling, Hewett, Hilton, Irish, Litzenberg, Maxwell, McClure, Merrell, Mills, Morrison, O'Donnell, Paul, Peet, Perkins, Pratt, Reed, Reuther, Rohlf, Rule, Secor, Skillin, Stow, Struthers, Tasker, Tuttle, Van Deventer, Williams, Wilson, of Keokuk; Wood, of Clay; and Mr. Speaker—Total, 47.

The nays were—

Messrs. Ainsworth, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Bergh, Blakely, Caldwell, Campbell, Carver, Clark, of Benton; Close, Crawford; Danforth, Davis, Day, Dayton, Draper, Duncan, Durham, Ellsworth, Evans, Flenniken, Gear Goodspeed, Hall, Hanson, Hopkirk, Hovey, Johnston, Kasson, Keables, Leahy, Lee, McCoy, Miller, Newbold, Rice, Sandry, Schweer, Stedman, Stewart, Teale, Tufts, Van Meter, Van Sann, Whitten, Wilson, of Washington; Wright, of Mills; and Wright, of Van Buren—Total, 49.

Absent or excused—

Messrs. Green, Hanan, McAllister, and Wood, of Story—Total, 4.  
So the motion to instruct did not prevail.

On motion of Mr. Clark, the House adjourned.

2 O'CLOCK, P. M.

House called to order by the Speaker.

Mr. Irish moved that when this House adjourn it adjourn until 10 o'clock, A. M., on next Friday.

The motion did not prevail.

The question recurring—consideration of H. F. No. 49—on the motion to recommit to Committee on Ways and Means, the question was put, and the motion to re-commit did not prevail.

Mr. Irish offered a substitute to the substitute.

#### REPORT OF COMMITTEE.

Mr. Van Deventer, from Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER : The Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bills, to-wit:

Joint resolution in regard to the Warden of the Penitentiary.

Also, joint resolution asking information in regard to the salaries paid officers of all State institutions.

Also, H. F. No. 72, A bill for an act to amend section 6 of chapter 92, of the laws of the Twelfth General Assembly, entitled an act to encourage the planting and growing of timber, fruit trees, shade trees, and hedges.

Also, joint resolution relative to the appointment of an agent for the collection of amount due from the United States to the State of Iowa, on account of lands conveyed to non-commissioned officers, musicians, and privates in the late Mexican war.

Also, H. F. No. 195, A bill for an act to provide for the payment of the per diem of Martin E. Kaier, deceased.

J. VAN DEVENTER, *Chairman.*

Mr. Kasson moved the previous question, which was seconded.

The question "Shall the main question be now put?" was decided in the affirmative.

The motion to amend by adopting the substitute for the substitute, did not prevail.

The substitute was adopted.

On the question "Shall the bill be ordered engrossed and be read a third time," Mr. Pratt demanded the yeas and nays which were as follows :

The yeas were :—

Messrs. Ainsworth, Beatty, of Cedar ; Beatty, of Jasper ; Beresheim, Bergh, Blakely, Booth, Cadwell, Caldwell, Campbell, Carver, Clark, of Benton ; Clarke, of Iowa ; Close, Crawford, Dan-



forth, Day, Dayton, Draper, Duncan, Durham, Ellsworth, Evans, Flenniken, Gear, Goodspeed, Hanson, Hopkirk, Hovey, Johnston, Kasson, Keables, Leahy, Lee, McClure, McCoy, Miller, Mills, Newbold, Reuther, Rice, Sandry, Skillin, Stedman, Teal, Tufts, Van Meter, Van Saun, Whitten, Wilson, of Washington; Wright, of Mills; and Wright, of Van Buren.—Total, 52.

The nays were:—

Messrs. Appleton, Ballinger, Blackman, Blake, Bliss, Bonewitz, Butler, Cardell, Christoph, Davis, Davisson, Dumont, Ericson, Freeman, Heberling, Hewett, Hilton Irish, Litzenberg, Maxwell, Morrison, O'Donnell, Paul, Peet, Perkins, Pratt, Reed, Rohlf, Rule, Schweer, Secor, Stewart, Stow, Struthers, Tasker, Tuttle, Van Deventer, Williams, Wilson, of Keokuk; Wood, of Clay; and Mr. Speaker.—Total, 42.

Absent or excused:

Messrs. Duncombe, Green, Hall, Hanan, McAllister, and Wood, of Story.—Total, 6

So the bill was ordered to be engrossed and read a third time.

Mr. Campbell moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion did not prevail.

The hour for consideration of the special order, being the consideration of the resolution and bill in reference to submitting the proposition to amend the State Constitution, having arrived, Mr. Irish moved to take up the special order.

The motion prevailed.

Mr. Leahy moved the previous question, which was seconded by the House.

The question, "Shall the main question be now put?" prevailed.

On the adoption of the resolution, Mr. Irish demanded the yeas and nays, which were as follows:

The yeas were:—

Messrs. Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Blackman, Blake, Blakely, Bliss, Bonewitz, Booth, Cadwell, Cardell, Carver, Clarke, of Iowa; Davis, Davisson, Day, Draper, Dumont, Durham, Ericson, Evans, Gear, Goodspeed, Hanson, Hewett, Hopkirk, Hovey, Irish, Johnston, Kasson, Leahy, Litzenberg, Maxwell, McCoy, Miller, Mills, Morrison, Newbold, Peet, Pratt, Rule, Secor, Stedman, Struthers, Tasker, Tufts, Tuttle, Van Saun, Whitten, Williams, Wilson, of Keokuk; Wood, of Clay; Wright, of Mills; and Mr. Speaker—Total, 55.

The nays were:—

Messrs. Ainsworth, Beresheim, Bergh, Butler, Caldwell, Campbell, Christoph, Clark, of Benton; Close, Crawford, Danforth, Dayton, Duncan, Ellsworth, Flenniken, Freeman, Heberling, Hilton, Keables, Lee, McClure, Merrell, O'Donnell, Paul, Perkins, Reed, Reuther, Rice, Rohlf, Sandry, Schweer, Skillin, Stewart, Stow,

Teale, Van Deventer, Van Meter, Wilson, of Washington; and Wright, of Van Buren—Total, 39.

Absent or excused were :—

Messrs. Duncombe, Green, Hall, Hanan, McAllister, and Wood, of Story—Total, 6.

So the resolution was adopted.

H. F. No. 179, A bill for an act providing for the submission of certain amendments to the Constitution of the State of Iowa, to the people thereof, at the next general election, was taken up and considered.

The bill was ordered to be engrossed, and to be read a third time.

Mr. Irish moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion did not prevail.

Mr. Campbell moved to reconsider the vote by which the House refused to suspend the rule.

The motion prevailed.

The rule was suspended, and the bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were :—

Messrs. Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Blackman, Blake, Blakely, Bliss, Bonewitz, Booth, Cadwell, Campbell, Cardell, Carver, Clarke, of Iowa; Davis, Davisson, Day, Draper, Dumont, Durham, Ellsworth, Ericson, Evans, Gear, Goodspeed, Hanson, Hewett, Hopkirk, Hovey, Irish, Johnston, Kasson, Leahy, Lee, Litzenburg, Maxwell, McCoy, Miller, Mills, Morrison, Newbold, Peet, Pratt, Rule, Secor, Stedman, Struthers, Tasker, Tufts, Tuttle, Van Saun, Whitten, Williams, Wilson, of Keokuk; Wood, of Clay; Wright, of Mills; and Mr. Speaker—Total, 58.

The nays were :—

Messrs. Ainsworth, Beresheim, Bergh, Butler, Caldwell, Christoph, Clark, of Benton; Close, Crawford, Danforth, Dayton, Duncan, Flenniken, Freeman, Heberling, Hilton, Keables, McClure, Merrill, O'Donnell, Paul, Perkins, Reed, Renter, Rice, Rohlf, Sandry, Schweer, Skillin, Stewart, Stow, Teale, Van Deventer, Van Meter, Wilson, of Washington, and Wright of Van Buren, Total, 36.

Absent or excused:

Messrs. Duncombe, Green, Hall, Hanan, McAllister, and Wood, of Story—Total, 6.

So the bill passed and the title was agreed to.

By leave, Mr. Stow called up H. F. No. 53, from Committee on Ways and Means, and on motion of Mr. Stow the bill was referred to Committee on Railroads.

## PETITIONS.

Mr. Blackman presented a communication of J. A. Gates, favoring the old supervisor system.

Referred to Judiciary Committee.

Mr. Teale presented a petition from citizens of Decatur township against restraining hogs and sheep from running at large.

Referred to Committee on Agriculture.

Mr. Clarke, of Iowa, presented a petition from citizens of Iowa county, praying for a liquor license law.

Referred to Committee on the Suppression of Intemperance.

Mr. Litzenburg presented a petition from citizens of Lee county praying for a license liquor law.

Referred to Committee on Suppression of Intemperance.

Mr. Irish presented a petition from citizens of Page county remonstrating against the repeal of the law authorizing the publication of the laws in the newspapers of the State.

Referred to Committee on Ways and Means.

Mr. Clark, of Benton, presented a petition from citizens of Benton county on the subject of intemperance.

Referred to Committee on Suppression of Intemperance.

## REPORTS OF COMMITTEES.

Mr. Goodspeed, from Committee on Horticulture, submitted the following report :

MR. SPEAKER : Your Committee on Horticulture, to whom was referred H. F. No. 62, A bill for an act for the encouragement of horticulture and forestry, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do pass with the following amendments: That the word "are" be inserted between the words "successors" and "elected," in third line of section 1 ; also, that the words "and paid for out of the money hereafter allowed," occurring after the word "published," in fourth line of fourth section, be stricken out, and the words "by the State, under the supervision of the society," be substituted in lieu thereof.

GOODSPEED, *Chairman.*

Mr. Tufts, from Committee on Claims, submitted the following report :

MR. SPEAKER : Your Committee on Claims, to whom was referred H. F. No. 144, A bill for an act for the relief of Isaac Skinner, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the accompanying substitute, with the recommendation that the substitute do pass.

TUFTS, *Chairman.*

Mr. Hopkirk, from Committee on Roads and Highways, submitted the following report:

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred H. F. No. 204, A bill for an act to amend section 835, of the Revision of 1860, to authorize road commissioners to qualify their assistants, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do pass.

WILLIAM HOPKIRK, *Chairman.*

Mr. Teale, from Committee on the Suppression of Intemperance, submitted the following report:

MR. SPEAKER:—Your Committee on the Suppression of Intemperance, to whom was referred H. F. No. 103, A bill for an act for the suppression of intemperance, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do pass with the following amendments, to-wit: 1st, amend the title to read as follows: "A bill for an act to amend article 2, of chapter 64, Revision of 1860;" also, insert the words "city or ward" after the word "township," in the fifth line of section 1; also, insert the words "also the kind and quantity of liquors remaining on hand," after the word "price," in the 7th line of section 3; also, insert the words "or shall make a false return," after the word "required," in the third line of section 4; also, add to section 4 the words "and for the second conviction under the provisions of this act the person convicted shall forfeit his permit to sell."

F. TEALE, *Chairman.*

Mr. Miller, from Committee on Elections, submitted the following report:

MR. SPEAKER:—Your Committee on Elections, to whom was referred H. F. No. 94, A bill for an act to change the mode of electing township trustees, beg leave to report that they have had the same under consideration, and a majority of the committee have instructed me to report the same back to the House, with the recommendation that it do pass.

C. B. MILLER, *Chairman.*

Mr. Close, from Committee on Agriculture, submitted the following report:

MR. SPEAKER:—Your Committee on Agriculture, to whom was referred H. F. No. 122, A bill for an act to amend section 1544, of the revision of 1860, beg leave to report that they have had the same under consideration, and a majority of said committee have

instructed me to report the same back to the House with the recommendation that it do pass with the following amendment of section 1, strike out of the fifth line the words "four feet," and all after the word "out" in the seventh line; also by striking out the second and third sections.

Also, I return herewith the petition on the same subject.

Also, H. F. No. 158, A bill for an act to amend section (2,) chapter 177, of the Thirteenth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do pass.

CLOSE, *Chairman.*

Mr. Peet submitted the following report:

MR. SPEAKER:—Your Committee on Engrossed Bills ask leave to report that they have examined to following bill, and find the same correctly engrossed.

H. F. No. 141, A bill for an act to repeal certain laws relating to the prosecution of the claims of this State against the Federal Government.

C. T. PEET, *Chairman.*

Mr. Bonewitz, from Committee on County and Township Organizations, submitted the following report:

MR. SPEAKER:—Your Committee on County and Township Organizations, to whom was referred H. F. No. 160, A bill for an act to repeal part of chapter 95 of the acts of the Twelfth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the accompanying substitute, with the recommendation that it pass.

P. G. BONEWITZ, *Chairman.*

#### INTRODUCTION OF BILLS.

Mr. Blakely introduced H. F. No. 220, A bill for the organization of independent school districts.

Read a first and second time, and referred to Committee on Schools.

Mr. Close introduced H. F. No. 221, A bill for an act to amend section 208, chapter 100, of the laws of the Twelfth General Assembly, in relation to road laws.

Read a first and second time, and referred to Committee on County and Township Organizations.

Mr. Close introduced H. F. No. 222, A bill for an act regulating the election of township trustees and fixing the fees therefor.

Read a first and second time, and referred to Committee on County and Township Organizations.

Mr. Ballinger introduced H. F. No. 223, A bill for an act to prevent the manufacture and sale of damaging illuminating fluids.

Read a first and second time, and referred to Committee on Police regulations.

Mr. Beresheim introduced H. F. No. 224, A bill for an act to provide for the organization of the county of Belknap.

Read a first and second time, and referred to Committee on New Counties.

#### JOINT RESOLUTIONS.

By leave, Mr. Rolfs offered the following resolution, which was referred to Committee on Constitutional Amendments:

WHEREAS, The Thirteenth General Assembly of the State of Iowa, did, in due form by a majority of the members elected to each of the two Houses, agree to propose an amendment to the constitution as follows:

“Strike the word white from section 4, of article three thereof,” and entered the same on the journals thereof, and referred the same to the Legislature to be chosen at the next general election, and the same having been published, as provided by law for three months previous to the time of making the choice of this, the Thirteenth General Assembly, therefore,

*Be it resolved by the General Assembly of the State of Iowa,* That the said amendment is hereby ratified, agreed to and confirmed, and the same shall be submitted to the people for their approval as this General Assembly shall provide.

Mr. Davisson moved that the House adjourn.

The motion did not prevail.

Mr. McAllister introduced H. F. No. 225, An act to legalize the acts of the Board of Trustee, Mayor and Recorder of the town of Sharon, Iowa.

Read a first and second time, and referred to the Committee on Incorporations.

Mr. Merrill introduced H. F. No. 226, A bill for an act to amend section 4055, of the Revision of 1860.

Read a first and second time, and referred to the Judiciary Committee.

Mr. Morrison introduced H. F. No. 227, A bill for an act to supplement an act to provide for certain amendments to the Constitution.

Read a first and second time, and referred to Committee on Constitutional Amendments.

Mr. Cardell introduced H. F. No. 228, a bill for an act to amend chapter 136 of the laws of the Twelfth General Assembly, in relation to County Agricultural Societies.

Read a first and second time, and referred to Committee on Agriculture.

## RESOLUTIONS.

By leave, Mr. Wood of Clay, offered the following resolution:

WHEREAS, The "Religion" of this House was duly forwarded to the Secretary of State previous to the meeting of this General Assembly; but there being no evidence of its having reached the capital; we are led to the conclusion that it was lost, or stolen, *in transitu*, therefore,

*Resolved*, That a committee of the whole be appointed to make search for such estray or stolen property, and when found to bring the same before the bar of this House to be dealt with as the owners thereof may direct.

This resolution being deemed of immediate importance shall be in force without publication in the newspapers.

WOOD of Clay.

On motion of Mr. Blackman the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, Iowa, February 22d, 1872. }

House convened pursuant to adjournment.

The Speaker in the Chair.

Prayer by Rev. A. L. Frisbee.

Journal of yesterday read and approved.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following bill and joint resolution, without amendment:

H. F. No. 207, A bill for an act changing the time and manner of administering official oaths to school directors.

Also, joint resolutions instructing our Senators and requesting our Representatives in Congress, to take such action as will secure the eastern terminus of the Union Pacific Railroad in Iowa, according to the terms and conditions of the act of Congress providing therefor; and protesting on behalf of the State of Iowa against the action of that company in making a contract with Omaha, providing "that the eastern terminus shall be and remain in said city of Omaha," and for other purposes.

J. A. T. HULL, *Secretary*.



Leave was granted Mr. Kasson to offer the following resolution, which was adopted :

*Resolved*, That in respect to the memory of George Washington, when this House adjourn it will adjourn until to-morrow morning.

Mr. Campbell moved to reconsider the vote by which the House passed H. F. No. 179, A bill for an act submitting certain amendments to the constitution, etc.

Mr. Irish moved to lay the motion on the table.

The motion to lay on the table did not prevail.

The consideration of the motion to reconsider was postponed until Tuesday, March 5th.

#### PETITIONS.

Mr. Rohlf's presented a petition remonstrating against any law prohibiting the manufacture and sale of wine, beer, etc.

Referred to Committee on the Suppression of Intemperance.

Mr. O'Donnell presented a petition from citizens of Jackson county in reference to an asylum for orphan and helpless children.

Referred to Committee on Charitable Purposes.

Mr. Heberling presented a petition from 39 men and 42 women, all citizens of Maquoketa, Iowa, praying for an appropriation for the asylum for orphans at Andrew, in Jackson county.

Referred to Committee on Charitable Institutions.

Mr. Beatty, of Jasper, presented a petition from citizens of Jasper county, in favor of a general herd law.

Referred to Committee on Agriculture.

Mr. Reed presented a petition from the Board of Supervisors of Jackson county, favoring an appropriation for the asylum for orphans at Andrew, in said county.

Referred to Committee on Charitable Institutions.

Mr. Gear presented a petition from citizens of Des Moines county against a more stringent liquor law.

Referred to Committee on Suppression of Intemperance.

Mr. Stedman presented a petition from citizens of Butler county asking that the office of county superintendent be abolished.

Referred to Committee on Schools.

Mr. Evans presented a petition from John Ziegler and other citizens of Muscatine county, asking a law requiring public officers who receive and disburse funds to make and have published in pamphlet form an exhibit of the same.

Referred to Committee on Compensation of Public Officers.

Mr. Evans presented a petition of citizens of Muscatine and Cedar counties, asking for a law regulating freights on railroads.

Referred to Committee on Railroads.

Mr. Johnston presented a petition from citizens of Taylor county, asking for a law regulating freights on railroads.

Referred to Committee on Railroads.

Mr. Miller presented a petition from citizens of Appanoose county, asking for a change in certain school districts in said county.

Referred to Committee on Schools.

Mr. Kasson presented the petition of about 600 citizens and soldiers of Polk county, for some provision in the nature of a bounty to Iowa soldiers in the late war.

Referred to Committee on Military Affairs.

Mr. Ball presented a petition from citizens of Croton, Lee county, asking for vacation of part of said town.

Referred to Committee on Incorporations.

Mr. Van Meter presented a petition from citizens of Dallas county on the subject of sub-dividing lands.

Read a first and second time, and referred to Judiciary Committee.

#### REPORTS OF COMMITTEES.

Mr. Beresheim submitted a report from the special committee on the subject of the eastern terminus of the Union Pacific Railroad with accompanying bill H. F. No. 229, A bill for an act requiring specified acts and duties of railroad companies, and providing certain remedies for the enforcement of the same.

*To the General Assembly of the State of Iowa:*

The undersigned special joint committee appointed by the General Assembly, to ascertain what legislation was necessary to protect the interests of the people of Iowa, and the commerce of the State against discriminations sought to be made against them in the action of the Union Pacific Railroad Company, beg to report that they have performed that duty, and they report the accompanying bill, which they believe will accomplish the object sought by the General Assembly, the passage of which your committee earnestly recommend.

B. F. ALLEN,  
JNO. Y. STONE,  
*On the part of the Senate.*

JOHN F. DUNCOMBE,  
JNO. H. GEAR,  
JOHN BERESHEIM,  
*On the part of the House.*

The bill was read a first and second time.

Mr. Beresheim moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were:—

Messrs. Ainsworth, Appleton, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blake, Blakely, Bonewitz, Booth, Butler, Cadwell, Caldwell, Campbell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Davis, Day, Dayton, Draper, Dumont, Duncan, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Gear, Goodspeed, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Hovey, Irish, Johnston, Keables, Leahy, Lee, Litzenberg, McClure, McCoy, Merrell, Miller, Mills, Morrison, Newbold, O'Donnell, Paul, Peet, Perkins, Pratt, Reed, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Teale, Tufts, Tuttle, Van Deventer, Van Meter, Van Sann, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington, Wood of Clay; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 87.

The nays were:—

Messrs. Ballinger, and Danforth—Total, 2.

Absent or excused:—

Messrs. Blackman, Bliss, Christoph, Davisson, Duncombe, Green, Hanan, Kasson, Maxwell, McAllister, and Wood, of Story—Total, 11.

So the bill passed and the title was agreed to.

By leave, Mr. O'Donnell called up H. F. No. 19, A bill for an act authorizing the appointment of deputy county auditors.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blake, Blakely, Bonewitz, Booth, Butler, Cadwell, Caldwell, Campbell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Davisson, Day, Dayton, Draper, Dumont, Duncan, Durham, Ericson, Flenniken, Freeman, Gear, Goodspeed, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Hovey, Irish, Johnston, Keables, Leahy, Lee, Litzenberg, McClure, McCoy, Merrell, Miller, Newbold, O'Donnell, Paul, Peet, Perkins, Pratt, Reed, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Teale, Tufts, Tuttle, Van Deventer, Van Meter, Van Sann, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wright, of Mills—Total, 83.

The nays were—

Messrs. Ellsworth, Kasson, Whitten, Wright, of Van Buren; Mr. Speaker—Total, 5.

Absent or excused—

Messrs. Blackman, Bliss, Christoph, Duncombe, Evans, Green, Hanan, Maxwell, McAllister, Mills, Morrison, Wood, of Story—  
Total, 12.

So the bill passed, and the title was agreed to.

Mr. Wood, of Clay, moved that the House adjourn.

The motion prevailed, and the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES IOWA, February 23, 1872. }

House convened pursuant to adjournment.

The Speaker in the chair.

Prayer by Rev. M. N. Miles.

The journal of yesterday read and approved.

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MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER :—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked:

S. F. No. 119, A bill for an act to legalize the plat of the town of Atlantic, in Cass county, Iowa, and to legalize all conveyances of lots heretofore made by the number of lots and blocks, as now designated on said plat.

J. A. T. HULL, *Secretary*.

By leave, Mr. Pratt offered the following resolution :

*Resolved*, That when this House adjourn, it will adjourn until to-morrow.

The resolution prevailed.

The Speaker presented the memorial of the convention of the Board of Supervisors of the State, which was read, and on motion of Mr. Kasson was placed on file.

PETITIONS.

Mr. O'Donnell presented a petition from citizens of Dubuque County against a more stringent liquor law.

Referred to Committee on the Suppression of Intemperance.

Mr. Irish presented a petition from citizens of Johnson county favoring a license liquor law.

Referred to the Committee on Suppression of Intemperance.

Mr. Gear presented the petition of James Bruce and others, citizens of Des Moines county, praying for a law for taxing railroads and regulating the tariffs of the same.

Mr. Blackman presented a communication from C. S. Thusbor in relation to the operation of the statute of limitation as against school fund claims.

Referred to Committee on Schools.

Mr. Butler presented a petition from citizens of Page county against the repeal of the present prohibitory liquor law.

Referred to Committee on the Suppression of Intemperance.

Mr. Williams presented a petition from citizens of Marshall county, asking legislation on the subject of railroads tariffs.

Referred to Committee on Railroads.

Mr. Dumont presented a petition from citizens of Butler county, praying for a law regulating tariffs on railroads.

Referred to Committee on Railroads.

Mr. Kasson presented the petition of 400 women of Polk county, for the establishment of a reform institution for girls.

Referred to Committee on Reform School.

Mr. Tasker presented a petition from citizens of Jackson county, asking an appropriation for the Asylum for Orphans at Andrew in said county.

Referred to Committee on Charitable Institutions.

#### REPORTS OF COMMITTEES.

Mr. Peet, from Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER:—The Committee on Engrossed Bills ask leave to report that they have examined the following bills, and find the same correctly engrossed:

H. F. No. 49, A bill for an act to amend chapter 118 of the laws of the Eleventh General Assembly.

Also, H. F. No. 179, A bill for an act providing for the submission of certain proposed amendments to the constitution of the State of Iowa, to the people thereof, at the next general election therein.

Also, H. F. No. 216, A bill for an act fixing the time for holding district courts in Chickasaw county, Iowa, and to repeal paragraph six, of section 15, of chapter 98, of the acts of the Tenth General Assembly.

Also, H. F. No. 229, A bill for an act requiring specified acts and duties of railroad companies, and providing certain remedies for the enforcement of the same.

C. T. PEET, *Chairman.*

Mr. Close, from Committee on Agriculture, submitted the following report :

MR. SPEAKER :—Your Committee on Agriculture, to whom was referred a communication from the Governor in relation to meteorological observations and crop reports; and also a pamphlet issued by the Agricultural and Mechanical Society of Memphis, Tenn., beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be referred to Committee on Federal Relations.

CLOSE, *Chairman.*

Referred to Committee on Federal Relations.

Mr. Butler from the Committee on Incorporations, submitted the following report :

MR. SPEAKER :—Your Committee on Incorporations, to whom was referred substitute for H. F. No. 22, A bill for an act to authorize the improvement of streets and alleys, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass, with the following amendments : In the second line of the fifth section, strike out the word "board," and insert the word "plank."

Also, H. F. No. 225, A bill for an act to legalize the acts of the board of trustees, mayor, and recorder of the town of Sharon, Mahaska county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass, with the following amendments : After the word "legalized," in the first section, add "and made valid as fully as if said corporation had been legally organized."

Also, H. F. No. 118, A bill for an act to provide that the board of trustees of the incorporated town of Grinnell may have control of Hazlewood Cemetery; beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do pass.

WM. BUTLER, *Chairman.*

Mr. Newbold, from Committee on Schools, submitted the following report :

MR. SPEAKER :—Your Committee on Schools, to whom was referred H. F. No. 200, A bill for an act to repeal section 1, of chapter 8, of the laws of the 13th General Assembly, in relation to independent school districts, and providing a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it be indefinitely postponed.

Also, H. F. No. 220, A bill for an act for the organization of independent school districts, and to amend chapter 88, article 5, section 2105, of the Code of 1860, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do not pass, for the following reason: That chapter 88, article 5, section 2105, of the Code of 1860, was repealed about eight years ago.

Also, H. F. No. 69, A bill for an act to amend chapter 98, of the acts of the Twelfth General Assembly, in relation to indebtedness of school districts, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also, H. F. No. 17, A bill for an act to amend the present school law, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the accompanying substitute, with the recommendation that said substitute do pass.

Also, H. F. No. 178, A bill for an act to limit taxation for teachers' and contingent fund in school districts, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do pass, by adding section four, a publication clause as attached to bill.

Also, H. F. No. 197, A bill for an act making counties responsible for the collection and payment of school fund interest, and to amend an act for the better protection of the school fund, approved, April 8th, 1860, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

J. G. NEWBOLD, *Chairman.*

Leave was granted to Mr. Rohlf, to call up H. F. No. 17, A bill for an act to amend chapter 8, laws of the Thirteenth General Assembly, relating to independent school districts, which was considered with the substitute therefor.

Mr. Rohlf moved that the substitute be adopted.

The motion prevailed.

Mr. Freeman moved that the rule be suspended, that the bill be considered engrossed, and read a third time now.

The motion prevailed.

Mr. Campbell moved to reconsider the vote by which the rule was suspended.

The motion prevailed.

Leave was granted to Mr. Freeman to withdraw his motion to suspend the rule.



Mr. Irish moved to reconsider the vote by which the substitute was adopted.

The motion prevailed.

Mr. Irish moved to amend by inserting the words "that in all independent districts."

The motion prevailed.

Mr. Hall moved that the word "schools" in the 21st line be stricken out.

The motion prevailed.

Mr. Blakely moved to amend as follows "Provided that in all independent school districts having a population of less than five hundred, there shall be three directors elected."

The motion prevailed.

The substitute was adopted.

Mr. Freeman moved the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

Leave of absence was granted to Messrs. Appleton, Cadwell, Steadman, Bliss, and Green.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Ballinger, Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Blakely, Bonewitz, Booth, Butler, Caldwell, Campbell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Davisson, Draper, Dumont, Duncan, Ellsworth, Ericson, Flenniken, Freeman, Gear, Goodspeed, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Hovey, Irish, Johnston, Kasson, Litzenberg, McClure, Merrell Miller, Mills, Morrison, Newbold, O'Donnell, Paul, Peet, Perkins, Pratt, Reed, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Skillin, Stewart, Struthers, Tasker, Teale, Van Deventer, Van Meter, Van Saun, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; and Mr. Speaker—Total, 75.

The nays were:—

Messrs. Beatty, of Cedar; Day, Dayton, Durham, Evans, Keables, Lee, McCoy, Stow, Tufts, Tuttle, Wright, of Mills; and Wright, of Van Buren—Total, 13.

Absent or excused—

Messrs. Appleton, Bliss, Cadwell, Christoph, Duncombe, Green, Hanan, Leahy, Maxwell, McAllister, Stedman, and Wood, of Story—Total, 12.

So the bill passed and the title was agreed to.

## REPORT OF COMMITTEE.

Mr. Keables from the Committee on Federal Relations, submitted the following report :

MR. SPEAKER :—Your Committee on Federal Relations, to whom was referred memorial to Congress in favor of repealing the bankrupt act, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it be indefinitely postponed.

Also, joint resolution in favor of changing the constitution of the United States, making foreign born citizens eligible to the offices of President, and Vice President of the United States, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it be indefinitely postponed.

Also, concurrent resolution instructing our Senators and requesting our Representatives to favor the proposed change of the Constitution which provides that no person who has ever held the office of President of the United States shall be eligible to that office, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

B. F. KEABLES, *Chairman.*

Mr. Caldwell, from Committee on Railroads, submitted the following report :

MR. SPEAKER :—Your Committee on Railroads, to whom was referred H. F. No. 214, A bill for an act to make it unlawful for any member of this General Assembly and judicial officers receiving railroad passes, beg leave to report that they have had the same under consideration, and instructed me to report the same back to the House, with the recommendation that it be indefinitely postponed.

CALDWELL, *Chairman.*

Mr. O'Donnell moved that the resolution reported by the Committee on Federal Relations, in relation to the making foreign born citizens eligible to the offices of President and Vice-President, be now taken up.

The motion did not prevail.

Mr. Miller, from the Committee on Elections, submitted the following report :

MR. SPEAKER :—Your Committee on Elections, to whom was referred H. F. No. 83, A bill for an act to repeal Chapter 171 of the laws of the Twelfth General Assembly, and Chapter 174 of

the Thirteenth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

C. B. MILLER, *Chairman*.

Mr. Rholfs, from Committee on Compensation of Public Officers, submitted the following report :

MR. SPEAKER :—Your Committee on Compensation of Public Officers, to whom was referred H. F. No. 173, A bill for an act fixing the compensation of members of the General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, H. F. No. 46, A bill for an act to fix the salaries of county officers, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass, with the following amendments: Strike out of the 4th and 6th lines of section 1, of the printed bill, the word "two hundred," and insert therefor "three hundred;" and of the 8th line, in the same section, the word "fifty," and insert "twenty-five."

M. J. ROHLFS, *Chairman*.

Mr. Bonewitz, from the Committee on County and Township Organizations, submitted the following report :

MR. SPEAKER :—Your Committee on County and Township Organizations, to whom was referred H. F. 211, A bill for an act to amend section 2, chapter 89, of the laws of the Thirteenth General Assembly, in relation to the township board of equalization, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, H. F. No. 177, A bill for an act to amend section 17, chapter 173, of the Ninth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, H. F. No. 188, A bill for an act to amend chapter 175 of the laws of the Thirteenth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, H. F. No. 221, A bill for an act to amend section 2 of chapter 100, of the laws of the Twelfth General Assembly, in relation to road laws, beg leave to report that they have had the

same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

P. G. BONEWITZ, *Chairman*.

Mr. Durham from the Committee on Charitable Institutions, submitted the following report:

MR. SPEAKER:—Your Committee on Charitable Institutions, to whom was referred H. F. No. 148, A bill for an act to amend chapter 95, acts of the Twelfth General Assembly, being an act for the relief of needy persons, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

D. T. DURHAM, *Chairman*.

Mr. Ainsworth from the Committee on Judiciary, submitted the following report:

MR. SPEAKER:—Your Committee on Judiciary to whom was referred H. F. No. 123, A bill for an act entitled an act to regulate county expenses in change of venue in certain civil cases, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with a substitute, and recommend the adoption of the substitute.

L. L. AINSWORTH, *for Committee*.

Mr. Ainsworth moved that H. F. No. 123, A bill for an act to regulate county expenses in cases of change of venue in certain civil cases, be taken up.

The motion prevailed.

The bill was considered with the substitute therefor.

The substitute was adopted.

Mr. Ainsworth moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Blakely, Bonewitz, Booth, Butler, Caldwell, Campbell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa, Close, Crawford, Danforth, Davis, Davisson, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Gear, Goodspeed, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Hovey, Irish,

Johnston, Kasson, Leahy, Lee, Litzenberg, McClure, McCoy, Merrell, Miller, Mills, Morrison, Newbold, O'Donnell, Paul, Peet, Perkins, Pratt, Reed, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Skillin, Stewart, Stow, Struthers, Tasker, Teale, Tufts, Tuttle, Van Deventer, Van Meter, Van Saun, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 90.

The nays were—None.

Absent or excused—

Messrs. Ballinger, Bliss, Cadwell, Christoph, Green, Hanan, Keables, Maxwell, McAllister, and Stedman—Total, 10.

So the bill passed and the title was agreed to.

Mr. Mills asked leave to call up S. F. No. 129, A bill for an act to legalize the plat of the town of Atlantic.

The bill was read a first and second time.

Mr. Mills moved the rule be suspended, the bill considered engrossed and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Blakely, Bliss, Bonewitz, Booth, Butler, Caldwell, Campbell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Davisson, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Flenniken, Freeman, Gear, Goodspeed, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Hovey, Irish, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, McClure, McCoy, Merrell, Miller, Mills, Morrison, Newbold, O'Donnell, Paul, Peet, Perkins, Pratt, Reed, Reuther, Rice, Rule, Sandry, Schweer, Secor, Skillin, Stewart, Stow, Struthers, Tasker, Teal, Tufts, Tuttle, Van Deventer, Van Meter, Van Saun, Whitten, Wilson, of Keokuk; Wilson of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren and Mr. Speaker—Total, 88.

The nays were:

Mr. Evans.—Total, 1.

Absent or excused—

Messrs. Appleton, Ballinger, Cadwell, Christoph, Green, Hanan, Maxwell, McAllister, Rohlf, Stedman, and Williams—Total, 11.

So the bill passed and the title was agreed to.

Leave was granted to Mr. Miller to call up H. F. No. 6, A bill for an act to amend chapter 79, of the revision of 1860, creating mechanic's lien, and to secure mechanics and laboring men upon internal improvements, their wages.

The bill with the substitute recommended by the committee, was taken up and considered.

Mr. Miller moved to amend by adding publication clause.

The motion prevailed.

Mr. Butler moved to amend by striking out 60 days and inserting 30 days.

The motion did not prevail.

The question recurring on the adoption of the substitute, the substitute was adopted.

Mr. Miller moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were--

Messrs. Ainsworth, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blakely, Bonewitz, Booth, Butler, Caldwell, Campbell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Davisson, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Gear, Goodspeed, Hall, Hanson, Heberling, Hewitt, Hilton, Hopkirk, Hovey, Irish, Johnson, Kason, Keables, Leahy, Lee, Litzenberg, McClure, McCoy, Merrell, Miller, Mills, Morrison, Newbold, O'Donnell, Paul, Peet, Perkins, Pratt, Reed, Reuther, Rice, Rohls, Rule, Sandry, Schweer, Secor, Skillin, Stow, Struthers, Tasker, Teal, Tufts, Tuttle, Van Deventer, Van Meter, Van Saun, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 89.

The nays were none.

Absent or excused—

Messrs. Appleton, Blake, Bliss, Cadwell, Christoph, Green, Hanan, Maxwell, McAllister, Stedman, and Stewart—Total, 11.

So the bill passed and the title was agreed to.

Leave was granted Mr. Beatty, of Cedar, to introduce H. F. No. 230, A bill for an act to legalize the incorporation of the independent school district of Stanwood, Cedar county, Iowa.

Read a first and second time, and referred to Committee on Schools.

Leave was granted to Mr. Irish to introduce H. F. No. 231, A bill for an act to amend section 4145, Revision of 1860.

Read a first and second time, and referred to Judiciary Committee.

Leave was granted to Mr. Rule to introduce H. F. No. 232, A bill for an act to amend the school laws.

Read a first and second time, and referred to Committee on Schools.

Leave was granted to Mr. Clark, of Iowa, to introduce H. F. No. 233, A bill for an act to amend section 719, chapter 45, of the Revision of 1860, in relation to the taxation of personal property.

Read a first and second time, and referred to Committee on Ways and Means.

Leave was granted to Mr. Ericson to introduce H. F. No. 234, A bill to legalize the organization of the Des Moines, Boone and Northern Railway Company, and certain of its acts and contracts.

Read a first and second time, and referred to Judiciary Committee.

Leave was granted Mr. Caldwell to introduce H. F. No. 235, A bill for an act to punish negligent railroad employees.

Read a first and second time, and ordered printed.

Mr. Irish moved to refer to Judiciary Committee, with instructions to report at an early day, and the bill was made the special order for February 27th, at 11 o'clock A. M.

The motion prevailed.

Leave was granted to Mr. Merrell to introduce H. F. No. 236, A bill for an act to amend section 3982, of the Revision of 1860.

Read a first and second time, and referred to Judiciary Committee.

Mr. Van Deventer, from Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER :—The Committee on Enrolled Bills ask leave to report that they have examined the following bills, and find the same correctly enrolled :

H. F. No. 112, A bill for an act "to allow all appeals to the Supreme Court from Tama county to be taken to the argument terms held at Des Moines instead of Dubuque, and to transfer all causes pending therein,"

Also, "Joint resolution relative to the Indians."

Also, H. F. No. 207, A bill for an act changing the time and manner of administering oaths to school directors.

Also, A joint resolution in relation to the terminus of the Union Pacific Railroad, etc.

J. VAN DEVENTER, *Chairman.*

Leave was granted to Mr. Tufts to introduce the following resolution, which was adopted :

*Resolved*, That the chairman of the Committee on Claims be authorized to employ a clerk whose duty it shall be to keep a record of the meetings of said committee, and to record in the books prepared for that purpose all claims against the State together with the evidence for and against said claims, and any other matter that the committee may order recorded. Said clerk shall receive a compensation of not less than \$3 per day, and no money shall be paid save on the certificate of chairman of said committee.



Leave was granted to Mr. Irish to offer the following resolution, which was adopted :

*Resolved*, That the Railroad Committee be hereby instructed to report back to this House bills for regulation of freights and fares upon and the taxation of railroads, on the first Monday in March, and that bills to tax railroads be made the special order for that day at 10:30 A. M.

#### INTRODUCTION OF BILLS.

Leave was granted to Mr. Hewett to introduce H. F. No. 207, A bill for an act to legalize the donation of the swamp lands and swamp land funds of Hamilton county, Iowa, to the Des Moines, Boone & Northern Railway Company and the Iowa, Minnesota & North Pacific Railway Company.

Read a first and second time, and referred to Committee on Judiciary.

Leave was granted to Mr. Reuther to introduce H. F. No. 238, A bill for an act to provide for the exemption of land owners to pay taxes on lands which they have conveyed to railroad companies.

Read a first and second time, and referred to Committee on Judiciary.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bills, in which the concurrence of the House is asked:

S. F. No. 131, A bill for an act regulating appeals to the supreme court of Iowa.

Also, S. F. No. 113, A bill for an act to amend section 5, chapter 11, laws of the Fourteenth General Assembly of Iowa.

W. L. VESTAL, *1st Assistant Secretary.*

Leave was granted to Mr. Close to introduce H. F. No. 239, A bill for an act to amend sections 748 and 759 of the Revision, in relation to revenue.

Read a first and second time, and referred to Committee on Ways and Means.

#### MESSAGES ON THE SPEAKER'S TABLE.

The resolution in regard to printing 200 copies of the statutes as reported by the commissioners for the use of the General Assembly, was taken up and concurred in.

Leave was granted to Mr. Clark, of Benton, to introduce H. F. No. 240, A bill for an act to amend chapter 172, laws of the Ninth General Assembly, in relation to the voting and levying of school taxes.

Read a first and second time, and referred to Committee on Schools, and ordered printed.

UNFINISHED BUSINESS.

By leave, Mr. Davisson called up S. F. No. 13, which, on motion, was referred to Committee on Railroads.

By leave, Mr. O'Donnell offered the following resolution, which was adopted:

*Resolved*, That all bills for the regulation of tariffs on railroads be made the special order for the second Tuesday in March at 10:30 A. M.

S. F. No. 131, A bill for an act regulating appeals to the supreme court of Iowa, was taken up.

Read a first and second time, and referred to Committee on Judiciary.

On motion of Mr. Merrell, the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, Feb. 25, 1872. }

House convened pursuant to adjournment. The Speaker in the chair.

Prayer by Rev. D. H. Gray.

The journal of yesterday's proceedings read and approved.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following bills and joint resolution, in which the concurrence of the House is asked:

S. F. No. 59, A bill for an act enabling the county of Appanoose to transfer the bond fund in the county treasury of said county to the swamp land fund.

S. F. No. 72, A bill for an act to change the time of holding the District Courts in the Ninth Judicial District of Iowa.

S. F. No. 99, A bill for an act to legalize the organization of the Independent School District of New Hartford, county of Butler, Iowa.

S. F. No. 101, A bill for an act to legalize the acts of the Independent School District of Ossian, in Military township, Winneshiek county, Iowa.

Joint resolution asking legislation by Congress to prevent the destruction of buffalo and other wild game upon the plains and in the mountains of the west.

I am also directed to inform your honorable body that the Senate has passed the following bills without amendment:

H. F. No. 99, A bill for an act legalizing the organization of the townships of Silver Lake and Floyd in Dickinson county, Iowa.

H. F. No. 229, A bill for an act requiring specified acts and duties of railroad companies, and providing certain remedies for the enforcement of the same, and

H. F. No. 132, A bill for an act to legalize the plat of the village of Northwood, in Worth county, Iowa, and to legalize all conveyances of lots heretofore made by the number of lots and blocks as now specified in said plat.

J. A. T. AULL, *Secretary*.

#### PETITIONS.

Mr. Hovey presented a remonstrance signed by the attorneys of the second circuit of the Ninth Judicial District, against the abolition of the circuit court.

Referred to Judiciary Committee.

Mr. O'Donnell presented the petition of citizens of Dubuque, against the enactment of a more stringent liquor law.

Referred to Committee on Suppression of Intemperance.

Mr. Draper presented a petition from citizens of Jasper, praying for a general law to restrain stock from running at large.

Referred to Committee on Agriculture.

Mr. Beresheim presented a petition of citizens of Pottawattamie county, remonstrating against the enactment of a more stringent liquor law.

Referred to Committee on Suppression of Intemperance.

Mr. Rohlf presented a petition from citizens of Scott county, and also a petition from citizens of Tama county, remonstrating against a more stringent liquor law.

Referred to Committee on Suppression of Intemperance.

Mr. Freeman presented a petition from citizens of Scott county, against a more stringent liquor law.

Referred to Committee on Suppression of Intemperance.

Mr. Irish presented the petition of citizens of Johnson county, asking for a law to secure the better education of practitioners of dentistry.

Referred to Committee on Medical Institutions.

Mr. Danforth presented a petition from citizens of Winneshiek county, praying for a law regulating tariffs on railroads.

Referred to Committee on Railroads.

Mr. Van Deventer presented a petition from citizens of Clinton county, praying for the establishment of a reformatory institution for girls.

Referred to Committee on Reform School.

Mr. Irish presented a petition of citizens of Johnson county, praying for a judicious license liquor law.

Referred to Committee on the Suppression of Intemperance.

Mr. Hanson presented the petition of citizens of Henry county, praying for the enactment of a law for assessing and taxing railroads as other property.

Referred to Committee on Railroads.

Mr. Stedman presented the petition of citizens of Benton county, remonstrating against the enactment of a more stringent liquor law.

Referred to Committee on the Suppression of Intemperance.

Mr. Hanson presented a petition from citizens of Henry county, praying for a change in the school law in relation to county superintendents.

Referred to Committee on Schools.

Leave was granted to Mr. Leahy, to call up the memorial of the State Supervisors Convention.

Mr. Leahy moved to refer the same to a Special Committee of three.

Mr. Irish moved to amend, by referring the various portions of said memorial to the appropriate committees.

The amendment was adopted.

The motion as amended was adopted.

#### REPORT OF COMMITTEE.

Mr. Ballinger from the special committee on Public Library, submitted the following report:

MR. SPEAKER:—Your committee to whom was referred H. F. No. 24, beg leave to report that they have had the same under consideration and recommend that it do pass as amended.

BALLINGER, *Chairman.*

Mr. Newtold from the Committee on Schools, submitted the following report:

MR. SPEAKER:—Your Committee on Schools to whom was referred the petitions, memorials, and remonstrances of citizens of Douglass and Taylor townships, Appanoose county, Iowa, asking for a law to change certain district township lines, in Appanoose county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same

back to the House with the recommendation that the whole subject be indefinitely postponed, as the petitioners ask for special legislation.

Also, H. F. No. 125, A bill for an act to legalize the organization of the independent school district of New Cherokee, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the accompanying substitute, with the recommendation that said substitute do pass.

Also, H. F. No. 175, A bill for an act providing for the organization of independent school districts, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, H. F. No. 149, a bill for an act to amend sections 1775 and 1984 of the Revision of 1860, in relation to school fund, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, S. F. No. 28, A bill for an act to prevent frequent changes in school books, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the house with the recommendation that it do pass with the following amendment: Insert after the word control, in the eleventh line, "except by a vote of the electors of the district township, or independent district."

J. G. NEWBOLD, *Chairman.*

Mr. Ellsworth, from Committee on Medical Institutions, submitted the following report:

MR. SPEAKER:—A minority of your Committee on Medical Institutions, to whom was referred H. F. No. 5, A bill for an act to insure the better professional education of practitioners of dental surgery in the State of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be amended by striking out the words "extracting teeth" in the fifth line of section 5 and insert the words "the practice of dentistry," and when so amended that it do pass.

Also, H. F. No. 115, A bill for an act prescribing the qualifications of druggists, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended by striking out the word "Botany," and that so amended it do pass.

L. F. ELLSWORTH, *Chairman.*

Mr. Pratt, from Judiciary Committee submitted the following report:

MR. SPEAKER:—Your Committee on the Judiciary, to whom was referred H. F. No. 202, A bill for act to repeal chapter 28, laws of the Eleventh General Assembly, in relation to willful trespass, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended by striking out the second section thereof, and that when so amended that it do pass.

H. O. PRATT, *Chairman.*

Mr. Bonewitz, from the Committee on county and township organizations, submitted the following report:

MR. SPEAKER:—Your Committee on County and Township Organizations, to whom was referred H. F. No. 1911, A bill for an act to amend chapter 148 of the acts of the Thirteenth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the accompanying bill do pass.

Also, H. F. No. 222, A bill for an act regulating the election of township trustees, and fixing the fees thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

P. G. BONEWITZ, *Chairman.*

Mr. Durham, from Special Committee appointed to visit the Reform School, submitted the following the report, which was ordered to be placed on file and be printed.

*To the General Assembly of the State of Iowa:*

Your joint committee appointed to visit the State Reform School proceeded, during the recess, to discharge that duty, and herewith present the following report:

That we made personal examination of the premises, and found the buildings in good condition and kept in the best of order. Your committee believe that the money appropriated at the last session of the legislature for the support of the school, has been legitimately and economically expended. We found the youth in charge, under the skillful management of Superintendent McCarty, well cared for mentally, morally, and physically, being comfortably clothed, cleanly in appearance, and under the influence of wholesome restraint, and proper education. Your committee are unanimous in the opinion that the institution is one of vital importance to the State; that while its beneficial effects are already being felt

in a large degree, we are fully persuaded that its influence for good has only begun. Inasmuch as the present location is near one corner of the State on rented ground, and with a view to a permanent location of the school, we would recommend that the trustees be at once authorized to purchase grounds at some central point on or near some line of railroad for a permanent location of the school, upon grounds so purchased and owned by the State, and appropriations made to secure the requisite buildings thereon, and other needful facilities, at the earliest possible day. We would represent to you, that the fencing on the farm is in very bad repair, and inasmuch as the school cannot be removed this year, and the lease of the State has six years to run, we are of the opinion that it would be to the best interest of the State to appropriate sufficient amount to repair the fencing on the farm. Your committee are also of the opinion that idleness is one of the great incentives to crime, and in order to reform the youth, they must have employment, both mentally and physically, and owing to the limited number of teams and farming implements in the hands of the Superintendent, and but few workshops on the farm, he cannot now profitably employ all the boys in the school, we are, therefore, unanimous in the opinion that it would be to the interest of the school for the State to purchase at least three or four more teams for the use of the same, giving employment for a greater number of boys, and hence cultivating more land, thereby making the school a source of income.

Your committee recommend that such legislation be had as will secure to the school all the facilities necessary to render it, in the highest degree, successful; and that an appropriation sufficient to permanently locate the school be made.

It might be proper for your committee to state that they believe the school has been managed as successfully up to the present time as could have been expected with the limited means and facilities in the hands of the trustees, and we recommend that an appropriation be made adequate to meet the current necessities without placing the trustees under the necessity of borrowing money without authority.

For a detailed account of the present condition of the institution, we refer you to the biennial report of the trustees and superintendent of said school. Submitted by

E. T. SMITH,

*On the part of the Senate.*

D. T. DURHAM,  
ROBERT STRUTHERS,

*On the part of the House.*



Leave was granted to Mr. Van Deventer to call up H. F. No. 278, A bill for an act to limit the taxation for teachers' and contingent funds in school districts.

The bill was considered, and the amendments recommended by the committee were adopted.

Mr. Van Deventer moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Ainsworth, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Blakely, Bonewitz, Booth, Butler, Caldwell, Campbell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Goodspeed, Hall, Hanson, Hewett, Hopkirk, Hovey, Irish, Johnston, Kasson, Leahy, Lee, Litzenberg, McAllister, McClure, McCoy, Merrell, Miller, Mills, Morrison, Newbold, O'Donnell, Paul, Peet, Perkins, Pratt, Reed, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Tasker, Teale, Tufts, Tuttle, Van Deventer, Van Sann, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 86. .

The nays were—

Messrs. Davisson and Van Meter.—Total, 2.

Absent or excused—

Messrs. Appleton, Bliss, Cadwell, Christoph, Gear, Green, Hanan, Heberling, Hilton, Keables, Maxwell, and Struthers—Total, 12.

So the bill passed, and the title was agreed to.

Mr. Kasson from the Committee on Judiciary, submitted the following report :

MR. SPEAKER:—Your Committee on Ways and Means, to whom was referred H. F. No. 198, A bill for an act to amend section 8293 of the Revision of 1860, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be referred to the Judiciary Committee.

Also, H. F. No. 193, A bill for an act to amend section 711 of the Revision of 1860, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass, with an amendment as follows: Insert after the words "adding to," the words "the introductory paragraph of."

JNO. A. KASSON, *Chairman*

On motion of Mr. Kasson, H. F. No. 212 and H. F. No. 213 were referred to Committee on Schools, and H. F. No. 198 was referred to Judiciary Committee.

#### INTRODUCTION OF BILLS.

Mr. Duncombe introduced H. F. No. 241, A bill for an act to permanently locate and provide for the erection and control of an additional penitentiary, to be located at or near Fort Dodge, Iowa.

Read a first and second time, and referred to Committee on Public Buildings, and ordered printed.

Mr. Clark, of Benton, introduced H. F. No. 242, A bill for an act to legalize the acts of J. L. Cobb, while acting as justice of the peace in Kane township, in Benton county, Iowa.

Read a first and second time, and referred to Committee on Judiciary.

Mr. Caldwell introduced H. F. No. 243, A bill for an act to amend section 1984, of the Revision of 1860, in relation to loan of permanent school fund.

Read a first and second time, and referred to Committee on Schools.

Mr. Beatty, of Cedar, introduced H. F. No. 224, A bill for an act to amend section 7, chapter 148, laws of the Thirteenth General Assembly, in regard to the increase of the number of members of the board of supervisors.

Read a first and second time, and referred to Committee on County and Township Organizations.

Mr. Caldwell introduced H. F. No. 245, A bill for an act to regulate the manufacturing and sale of spirituous liquors, wine and cider.

Read a first and second time and referred to Committee on the Suppression of Intemperance, and ordered printed.

Mr. Campbell introduced H. F. No. 246, A bill for an act in relation to extraordinary expenditures and increased taxation by municipal incorporations.

Read a first and second time, and referred to Committee on Ways and Means.

Mr. Van Saun introduced H. F. No. 247, A bill for an act to repeal section 858, and to amend sections 824 and 842, of the Revision of 1860, relative to the manner of establishing county roads.

Read a first and second time, and referred to Committee on Roads and Highways.

Mr. McClure introduced H. F. No. 248, A bill for an act extending the powers and privileges of cities organized under special charters.

Read a first and second time, and referred to Committee on Incorporations and ordered printed.

Mr. Secor introduced H. F. No. 249, A bill for an act to legalize the acts of the Independent School District of Mason City, Iowa.

Read a first and second time, and referred to Committee on Schools.

Mr. Williams introduced H. F. No. 250, A bill for an act to amend Section 3307 of the Revision of 1860.

Read a first and second time, and referred to Judiciary Committee.

Mr. Williams introduced H. F. No. 251, A bill for an act to amend Section 2040 of the Revision of 1760.

Read a first and second time, and referred to Judiciary Committee.

Mr. Wood, of Story, introduced H. F. No. 252, A bill for an act to amend Section 15 and Section 17, of Chapter 1, of the School Laws of Iowa.

Read a first and second time, and referred to Committee on Schools.

Mr. Freeman introduced H. F. No. 233, A bill for an act to amend Section 778, of the Revision of 1860, in relation to recording notices of assignments of tax sale certificates of purchase.

Read a first and second time, and referred to Committee on County and Township Organizations.

Mr. Freeman introduced H. F. No. 254, A bill for an act to amend Section 781 of the Revision of 1860, in relation to the redemption of land sold for taxes.

Read a first and second time, and referred to Committee on Ways and Means.

Mr. Stone introduced H. F. No. 255, A bill for an act giving the custody and management of transfer records to the County Recorder.

Read a first and second time, and referred to Judiciary Committee.

Mr. Davisson introduced H. F. No. 256, A bill for an act to amend chapter 45, section 742, of the Revision.

Read a first and second time, and referred to Committee on Ways and Means.

Mr. Durham introduced H. F. No. 257, A bill for an act to devote the public square in Algona to court house purposes.

Read a first and second time, and referred to Committee on Incorporations.

Mr. Duncombe introduced H. F. No. 258, A bill for an act to amend section 2708 of the Revision of 1860, relating to attorney's liens.

Read a first and second time, and referred to Judiciary Committee.

Mr. Irish introduced H. F. No. 259, A bill for an act to legalize the official bond of — Greattrax, treasurer-elect of Sioux county, Iowa, and — Bolten, auditor of Sioux county, Iowa.

Read a first and second time, and referred to Judiciary Committee.

#### RESOLUTIONS.

Mr. Ballinger offered the following resolution :

Joint resolution to amend section 1, article 11, of the constitution of Iowa.

*Resolved by the General Assembly of the State of Iowa, That section one, of article eleven, of the constitution of the State of Iowa, be amended so as to read as follows:*

"Section 1. The jurisdiction of justices of the peace shall extend to all civil cases, except cases in chancery and cases where the question of title to real estate may arise, where the amount in controversy does not exceed three hundred dollars; and by consent of the parties may be extended to any amount not exceeding five hundred dollars."

On motion of Mr. Ballinger the resolution was referred to the Committee on Constitutional Amendments.

Mr. Beatty, of Cedar, offered the following resolution :

*Resolved by the House of Representatives, the Senate concurring, That the Secretary of State is hereby authorized to furnish each member of this General Assembly with "Colton's Sectional Map of Iowa."*

Mr. Williams moved to amend by requesting members to pay for them.

Mr. Teale offered the following substitute:

*Resolved, That the Secretary of State be instructed to dispose of such copies of sectional maps as may remain on hand at the close of the session.*

The motion to amend did not prevail.

The resolution was adopted.

Mr. Lee offered the following resolution :

*Resolved, That when this House adjourns it do so adjourn to Monday morning next at ten o'clock.*

Mr. Duncan moved to amend by inserting two o'clock P. M.

The amendment did not prevail.

The resolution was adopted.

#### MESSAGES ON THE SPEAKER'S TABLE.

Substitute for S. F. No. 59, A bill for an act enabling the county of Appanoose to transfer the bond fund in the county treasury of said county to the swamp land fund, was taken up and read a first and second time.

Mr. Miller moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

Upon the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Blackman, Blakely, Bonewitz, Booth, Butler, Campbell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Davisson, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ericson, Evans, Flenniken, Freeman, Goodspeed, Hall, Hanson, Hewett, Hopkirk, Hovey, Irish, Johnson, Kasson, Leahy, Lee, Litzenberg, McAllister, McClure, McCoy, Merrell, Miller, Mills, Morrison, Newbold, O'Donnell, Paul, Perkins, Reed, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Stedman, Stewart, Stow, Tasker, Teale, Tufts, Tuttle, Van Deventer, Van Meter, Van Saun, Whitten, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren; Mr. Speaker—Total, 79.

The nays were—

Messrs. Ainsworth, Blake, Peet, Skillin—Total, 4.

Absent or excused—

Messrs. Appleton, Bergh, Bliss, Cadwell, Caldwell, Christoph, Ellsworth, Gear, Green, Hanan, Heberling, Hilton, Keables, Maxwell, Pratt, Struthers, Williams—Total, 17.

So the bill passed and the title was agreed to.

Leave was granted Mr. Campbell, to call up H. F. No. 83, A bill for an act to repeal chapter 171, of the laws of the Twelfth General Assembly, and chapter 174, of the Thirteenth General Assembly.

The bill was taken up and considered.

Mr. Campbell moved that the rule be suspended, the bill considered engrossed, and read a third time now.

Mr. Blake moved that the consideration of the bill be made a special order for Wednesday the 28th, at 11 o'clock, a. m.

The motion prevailed.

The joint resolution in regard to buffalo and other wild game on the plains was taken up and considered.

Mr. Blakely moved to amend as follows:

*Be it further resolved*, That there be a standing army to carry into effect the resolution.

Mr. Kasson moved to refer the resolution to Committee on Federal Relations.

The motion prevailed.

S. F. No. 99, was taken up, and read a first and second time.

Mr. Dumont moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows—

The yeas were:—

Messrs. Ainsworth, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blakely, Bonewitz, Booth, Butler, Campbell, Cardell, Carver, Clark, of Benton; Clarke of Iowa; Close, Crawford, Danford, Davis, Davisson, Day, Dayton, Draper, Dumopt, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Goodspeed, Hall, Hanson, Hewett, Hopkirk, Hovey, Irish, Johnston, Kasson, Leahy, Lee, Litzenberg, McAllister, McClure, McCoy, Merrell, Miller, Mills, Newbold, O'Donnell, Paul, Peet, Perkins, Pratt, Reed, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Tasker, Tufts, Tuttle, Van Deventer, Van Meter, Van Saun, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Van Buren; and Mr. Speaker—Total, 84.

The nays were:—

Mr. Morrison—Total, 1.

Absent or excused:—

Messrs. Appleton, Blake, Bliss, Cadwell, Caldwell, Christoph, Gear, Green, Hanan, Heberling, Hilton, Keables, Maxwell, Struthers, and Teal—Total, 15.

So the bill passed and the title was agreed to.

#### REPORT OF COMMITTEE.

Mr. Van Deventer submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills ask leave to report that they have examined the following bill, and find the same correctly enrolled:

A joint resolution memorializing Congress to grant 160 acres of land to our soldiers and sailors, in the war of the rebellion.

The Committee on Enrolled Bills also respectfully report, that they have this day presented to the Governor for his approval the following bills, viz: S. F. No. 112, an act to allow all appeals to the Supreme Court from Tama county, to be taken to the argument term, at Des Moines instead of Dubuque.

Also, H. F. No. 207, an act changing the time and manner of administering official oaths to school directors.

Also, joint resolution relative to the Indians.

Also, joint resolution instructing our Senators, and requesting our Representatives in Congress to take such action as will secure the eastern terminus of the Union Pacific Railroad in Iowa, &c.

J. VAN DEVENTER, *Chairman.*

S. F. No. 101, A bill for an act to legalize the acts of the Independent School District of Osceola, in Military township, Winnesheik county, Iowa, was taken up and read a first and second time, and referred to Committee on Incorporations, with instructions to report next Wednesday.

On motion of Mr. Caldwell, the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, February 26, 1872. }

House convened pursuant to adjournment.

The Speaker in the Chair.

Prayer by Rev. W. J. Gill.

The journal of Saturday was read and approved.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER :—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked :

S. F. No. 75, A bill for an act pertaining to the division of civil townships.

I am also directed to inform your honorable body that the Senate has passed the following bill without amendment :

H. F. No. 216, A bill for an act fixing the time of holding District Courts in Chickasaw county, Iowa, and to repeal paragraph six of section 15, chapter 98, of acts of Tenth General Assembly.

J. A. T. HULL, *Secretary*.

PETITIONS.

Mr. Secor presented a petition from citizens of Cerro Gordo county, in relation to the satisfaction of mortgages.

Referred to Committee on Judiciary.

Mr. Irish presented a petition from citizens of Johnson county, remonstrating against the enactment of a more stringent liquor law.

Referred to Committee on Suppression of Intemperance.

Mr. Leahy presented a position from citizens of Franklin county against the repeal of chapter 118, laws of the Eleventh General Assembly.

Referred to Committee on Ways and Means.



Mr. Hanson presented a petition from citizens of Henry county, praying for the abolition of the Circuit Courts.

Referred to Judiciary Committee.

Mr. Davison presented a petition from citizens of Madison county, praying for the enactment of a law regulating the tariffs of railroads.

Referred to Committee on Railroads.

Mr. Vandeventer, from Committee on Enrolled Bills submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills ask leave to report that they have examined the following bill and find the same correctly enrolled:

H. F. No. 229, A bill for an act requiring specified acts and duties of railroad companies, and providing certain remedies for the enforcement of the same.

J. VAN DEVENTER, *Chairman.*

Mr. Cadwell presented a petition from citizens of Harrison county, asking for the enactment of a law regulating tariffs on railroads.

Referred to Committee on Railroads.

Mr. Hall presented a petition from citizens of Des Moines county, in relation to the re claiming of certain swamp lands in said county.

Referred to Committee on Internal Improvements.

Leave was granted to Mr. Irish to offer the following resolution, which was adopted.

*Resolved*, That the Secretary of State be authorized to furnish to the members such chairs as they may direct, provided the charges shall not be more than one dollar and a half in each case.

#### REPORTS OF COMMITTEES.

Mr. Kasson, from the Committee on Rules, submitted the following report and accompanying resolution, which was adopted.

MR. SPEAKER.—Your Committee on Rules, to whom was referred H. F. No. 192, A bill for an act providing for a committee on claims and defining duties, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the following substitute in the form of a concurrent resolution, and recommend that the resolution be adopted.

*Be it resolved by the Senate and House of Representatives*, 1st. That it shall be the duty of the Committee on Claims of each House to keep a book of record, in which shall be entered each claim for money against the State referred to them, whether presented in favor of private persons or municipal or other corporations, entering therein the name of the claimant, the amount of the claim,

and the grounds thereof, with a note of the evidence offered in support of the same, and the final conclusion of the Committee thereon.

2d. At the close of the session said book of record shall be deposited with the Auditor of State, to be kept by him; and he shall provide an index, showing the names of the claimants recorded therein.

3d. At any subsequent session the same shall be delivered when desired to the like committee having jurisdiction of such claims, and shall always be open to the examination of the said Committee of either House

*And be it further resolved*, That the foregoing concurrent resolution shall be added to the joint rules of the two Houses.

Mr. Rohlf, from the Committee on Compensation of Public Officers, submitted the following report :

MR. SPEAKER :—Your Committee on Compensation of Public Officers, to whom was referred a resolution No. 13, to inquire into the propriety of making more equal distribution of labor and compensation in the various county offices, and to report by bill, beg leave to report that they have had the same under consideration, and have instructed me to report back to the House that inasmuch as a bill on this subject has already been introduced, and the passage of the same recommended by your Committee, your Committee did not find it desirable to report another bill.

Also, H. F. No. 54, A bill for an act to reduce the amount of postage to be allowed to members of the General Assembly, and a substitute for this bill, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the substitute be adopted with the following amendments :

1st, Insert the word "biennial" before the word "session" in the seventh line of section 1.

2d, Add to the substitute the following sections :

Section 2. In case an extra session of the General Assembly shall be called, members of the same shall receive five dollars per day and mileage, as now provided by law.

Section 3. All acts or parts of acts inconsistent with this act are hereby repealed.

M. J. ROHLFS, *Chairman*.

Mr. Bergh, from Committee on State Library, submitted the following report :

MR. SPEAKER :—Your Committee on State Library, to whom was referred H. F. No. 111, A bill for an act in relation the State Library and the duties of State Librarian, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass with the following amendment :

Section 16. Chapter forty-four of the Revision of 1860, and one hundred and forty-five of the Laws of the Thirteenth General Assembly, are hereby repealed.

KNUT BERGH, *Chairman.*

Mr. Hopkirk, from the Committee on Roads and Highways, submitted the following report:

MR. SPEAKER:—Your Committee on Roads and Highways, to whom was referred H. F. No. 75, A bill for an act providing for the construction of public bridges at the joint expense of two or more counties, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House for its consideration,

WILLIAM HOPKIRK, *Chairman.*

Mr. Newbold, from the Committee on Schools, submitted the following report:

MR. SPEAKER:—Your Committee on Schools, to whom was referred H. F. No. 232, A bill for an act to amend the school laws, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed, for the following reason: That section 2020 of the Revision of 1860 has been repealed by subsequent legislation.

Also, H. F. No. 218, A bill for an act regulating the division of teachers funds, of district townships, and defining the duties of certain officers therein, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, H. F. No. 185, A bill for an act to amend section 65, chapter 172, acts of the Ninth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me report the same back to the House with the recommendation that it do not pass.

Also, H. F. No. 208, A bill for an act to restore territory set-off for school purposes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, H. F. No. 230, A bill for an act to legalize the incorporation of the independent school district of Stanwood, Cedar county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

J. G. NEWBOLD, *Chairman.*

Mr. Kasson from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER:—Your Committee on Ways and Means, to whom was referred memorial of the board of supervisors of Henry county, praying for longer time for the settlement of bonded indebtedness of counties; and also the memorial of the supervisors of Jefferson county, requesting amendment of the assessment law, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that they lie upon the table.

JNO. A. KASSON, *Chairman.*

Mr. Campbell, from Committee on Ways and Means, submitted the following report:

MR. SPEAKER:—Your Committee on Ways and Means, to whom was referred H. F. No. 133, A bill for an act to amend section 722, chapter 45, of the Revision of 1860, in relation to revenue, and also petition from citizens of Dallas county, asking for a change in the assessment of taxes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the bill do not pass, and that the petition lie upon the table.

CAMPBELL, *for the Committee.*

Mr. Duncombe, from Judiciary Committee, submitted the following report:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 71, A bill for an act permitting proprietors of mills owning lands nearest to meandered lakes, or their outlets, to construct dams for mill purposes so as to hold the waters of such lakes at all seasons of the year of their ordinary level, beg leave to report that they have had the same under consideration, and have instructed to report the same back the House recommending a substitute.

J. F. DUNCOMBE, *for the Committee.*

Mr. Pratt from the Committee on Judiciary submitted the following report:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 90, A bill for an act to amend chapter 29 of the acts of the Ninth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, H. F. No. 88, A bill for act to amend section 1088 of the Revision of 1860, and to direct the appropriation of fines in certain

cases, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended by striking out of the first section of said bill all the words after the word corporation in said section, and when so amended that the bill do pass.

Also, S. F. No. 131, A bill for an act to regulate appeals to the Supreme Court of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended by striking out the words, "the appellee or his attorney, or upon," in the 62d and 63d lines of the first section thereof; and also the words "or upon the officer or person attempting to enforce the order or judgment appealed from," in the 64th, 65th, and 66th lines of said section, and when so amended that said bill do pass.

H. O. PRATT, *Chairman.*

Mr. Kasson from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER:—Your Committee on Ways and Means, to whom was referred H. F. No. 9, A bill for an act for the protection of the life and health of miners, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended as proposed in the accompanying substitute, and that the substitute do pass.

JNO. A. KASSON, *Chairman.*

#### INTRODUCTION OF BILLS.

Mr. Leahy introduced H. F. No. 260, A bill for an act to amend section 3293 of the Revision of 1860, in relation stay of execution.

Read a first and second time, and referred to Committee on Judiciary.

Mr. Leahy introduced H. F. No. 261, A bill for an act to amend article 2, chapter 72, Revision of 1860, relating to interest on money.

Read a first and second time, and referred to Committee on Judiciary.

Mr. Secor introduced H. F. No. 262, A bill for an act to legalize the sale of the indemnity swamp lands of Hancock county to B. L. Patch.

Read a first and second time and referred to Committee on Public Lands.

Mr. O'Donnell introduced H. F. No. 263, A bill for an act to

repeal section 4148 of the Revision of 1860, in relation to coroner's fees, and providing a substitute therefor.

Read a first and second time, and referred to Committee on Compensation of Public Officers.

Mr. Close introduced H. F. No. 264, A bill for an act to amend sub-division 2 of section 742 of the Revision of 1860, in relation to the State Board of Equalization.

Read a first and second time, and referred to Committee on Ways and Means.

On motion of Mr. Caldwell, Mr. Morrison was excused from serving on the Committee on Congressional Districts, and the Speaker appointed Mr. Caldwell on said Committee.

On motion of Mr. Tufts, Mr. Morrison was excused from serving on the Committee on Claims, and Mr. Wilson, of Washington, was substituted in his place.

#### RESOLUTIONS.

Mr. Wright, of Mills, offered the following resolution, which was adopted:

*Resolved*, That the Secretary of State is hereby instructed to have another strip of carpet laid down on the main walk-ways of this House.

Mr. Carver offered the following resolution, which was adopted:

*Resolved*, That the chairmen of the several committees on State Institutions, as follows: The Agricultural College, State University, Public Buildings, Penitentiary, Asylum for the Blind, Asylum for the Insane, Asylum for the Deaf and Dumb, Orphans Homes, Reform School, be, and they are hereby appointed a special committee, with the Chairman of the Ways and Means Committee as Chairman, to take into consideration the amount of special appropriations that may be needed by said institutions, and to agree, if possible, upon the amount of appropriations to be recommended for each of said institutions.

#### MESSAGES ON THE SPEAKER'S TABLE.

S. F. No. 72, A bill for an act to change the time of holding the courts of the Ninth Judicial District, was taken up and read a first and second time, and referred to Judiciary Committee.

S. F. No. 8, A bill for an act to enable civil townships to adopt the provisions of chapter 26 of the laws of the Thirteenth General Assembly, entitled an act to restrain stock from running at large, was taken up and read a first and second time, and referred to Committee on Agriculture.

Substitute for S. F. No. 1, an act to repeal an act entitled an act, &c., was taken up with amendments to the House amendments, and considered.

The question recurring on the first amendment to the House amendment, the yeas and nays were as follows :

The yeas were—

Messrs. Ainsworth, Ballinger, Blackman, Blake, Bonewitz, Booth, Butler, Caldwell, Cardell, Carver, Close, Danforth, Davis, Davisson, Dayton, Dumont, Duncombe, Freeman, Hewett, Hilton, Hovey, Maxwell, McAllister, McCoy, Miller, Mills, Peet, Reed, Rohlf, Sandry, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Van Deventer, Van Meter, Williams, Wood, of Clay; and Mr. Speaker—Total, 40.

The nays were:—

Messrs. Beatty, of Cedar; Beatty, of Jasper; Blakely, Cadwell, Campbell, Clark, of Benton; Day, Durham, Ellsworth, Ericson, Evans, Flenniken, Goodspeed, Hall, Hanson, Hopkirk, Irish, Johnston, Kasson, Leahy, Litzenberg, McClure, Merrell, Newbold, O'Donnell, Paul, Perkins, Pratt, Rice, Reuther, Rule, Schweer, Tasker, Teal, Tufts, Tuttle, Van Saun, Whitten, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story; Wright, of Mills; and Wright, of Van Buren—Total, 43.

Absent or excused—

Messrs. Appleton, Beresheim, Bergh, Bliss, Christoph, Clarke, of Iowa; Crawford, Draper, Duncan, Gear, Green, Hanan, Heberling, Keables, Lee, and Morrison—Total, 16.

So the House refused to concur.

Mr. Kasson moved that the House refuse to concur in the Senate amendments, and ask a Committee of Conference.

The motion prevailed.

Leave of absence was granted to Messrs. Draper, Lee, Heberling, Duncan, and Clarke, of Iowa.

S. F. No. 75, A bill for an act pertaining to the division of civil townships, was read a first and second time, and referred to Committee on County and Township Organizations.

The Speaker appointed as Committee of Conference, on substitute for S. F. No. 1, on the part of the House, Messrs. Kasson, Duncombe, and Reuther.

#### BILLS ON SECOND READING.

H. F. No. 116, A bill for an act defining the weight of a bushel of corn in the cob, was taken up and considered.

The amendment recommended by the committee was adopted.

Mr. Butler moved that the bill be indefinitely postponed.

Mr. Carver moved to strike out 66 pounds and insert 68 pounds.

The amendment was adopted.

On the question to indefinitely postpone, Mr. Wright of Mills, and Mr. Irish, demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Bliss, Bonewitz, Butler, Caldwell, Close, Day, Dayton,



Evans, Freeman, Newbold, Sandry, Tuttle, Van Meter, Williams, Wilson, of Washington; Wood, of Clay; Wood, of Story; and Wright, of Van Buren—Total, 18.

The nays were:--

Messrs. Ainsworth, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Blakely, Booth, Cadwell, Campbell, Cardell, Carver, Clark, of Benton; Crawford, Danforth, Davis, Davisson, Dumont, Duncombe, Durham, Ellsworth, Ericson, Flenniken, Goodspeed, Hall, Hanson, Hewett, Hilton, Hopkirk, Hovey, Irish, Johnston, Leahy, Lee, Litzengu, McAllister, McClure, McCoy, Merrell, Miller, Mills, O'Donnell, Paul, Perkins, Pratt, Reed, Reuther, Rice, Rohlf, Rule, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Teale, Tufts, Van Deventer, Van Saun, Whitten, Wright, of Mills; and Mr. Speaker—Total, 67.

Absent or excused—

Messrs. Appleton, Christoph, Clarke, of Iowa; Draper, Duncan, Gear, Green, Hanan, Heberling, Kasson, Keables, Maxwell, Morrison, and Wilson, of Keokuk—Total, 14.

So the motion to indefinitely postpone did not prevail.

#### REPORT OF COMMITTEE.

Mr. Van Deventer from Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills ask leave to report that they have examined the following bills, and find the same correctly enrolled.

H. F. No. 132, A bill for an act to legalize the plat of the village of Northwood, Worth county, Iowa.

Also, H. F. No. 90, A bill for an act legalizing the organization of the townships of Silver Lake and Lloyd in Dickinson county, Iowa.

The Committee on Enrolled Bills also respectfully report that they have this day presented to the Governor for his approval the following bills, viz:

Joint resolution asking Congress to pass a law granting 160 acres of land to honorably discharged soldiers and sailors of the war of the rebellion.

Also, H. F. No. 229, An act regulating specific acts and duties of railroad companies, and providing certain remedies for the enforcement of the same.

J. VAN DEVENTER, *Chairman.*

Mr. Peet from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER:—The Committee on Engrossed Bills ask leave to

report that they have examined the following bills, and find the same correctly engrossed.

Substitute for H. F. No. 6, A bill for an act to amend chapter 79, of Revision of 1860, creating mechanics' liens, and to secure mechanics and laboring men upon internal improvements their wages.

Also, H. F. No. 17, A bill for an act to amend chapter 8, laws of the Thirteenth General Assembly, relating to independent school districts.

Also, substitute for H. F. No. 123, A bill for an act providing the manner in which fees of jurymen and county expenses shall be paid, in cases of changes of venue.

Also, H. F. No. 178, A bill for an act to limit taxation for teachers' and contingent funds in school districts.

C. T. PEET, *Chairman*.

Mr. Wright, of Mills, moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows :

The yeas were :—

Messrs. Ballinger, Beatty, of Cedar ; Beatty, of Jasper ; Beresheim, Bergh, Blackman, Blake, Blakely, Booth, Cadwell, Cardell, Carver, Clark, of Benton ; Crawford, Danforth, Davisson, Dumont, Durham, Ellsworth, Flenniken, Goodspeed, Hall, Hanson, Hewett, Hilton, Hopkirk, Hovey, Irish, Kasson, Leahy, Litzenberg, McAllister, McClure, McCoy, Miller, O'Donnell, Paul, Perkins, Pratt, Reed, Reuther, Rice, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Tufts, Whitten, Wright, of Mills ; and Mr. Speaker—Total, 54.

The nays were :—

Messrs. Ainsworth, Bliss, Bonewitz, Butler, Caldwell, Campbell, Close, Davis, Day, Dayton, Ericson, Evans, Freeman, Johnston, Maxwell, Merrell, Mills, Newbold, Peet, Rohlf, Rule, Sandry, Teale, Tuttle, Van Deventer, Van Meter, Van Saun, Williams, Wilson, of Keokuk ; Wilson, of Washington ; Wood of Clay ; Wood, of Story ; and Wright, of Van Buren—Total, 33.

Absent or excused :—

Messrs. Appleton, Christoph, Clarke, of Iowa ; Draper, Duncan, Duncombe, Gear, Green, Hanan, Heberling, Keables, Lee, and Morrison—Total, 13.

So the bill passed and the title was agreed to.

Leave of absence was granted to Mr. Morrison.

On motion of Mr. Goodspeed, the House adjourned.

TWO O'CLOCK, P. M.

The Speaker called the House to order.

H. F. No. 3, A bill for an act to repeal chapter 102, acts of the Thirteenth General Assembly, was taken up and considered, and in accordance with the recommendation of the committee was indefinitely postponed.

H. F. No. 10, A bill for an act to repeal chapter 48 of the acts of the Twelfth General Assembly, and chapter 102 of the acts of the Thirteenth General Assembly, was taken up, and considered, and in accordance with the recommendation of the committee the bill was indefinitely postponed.

## REPORT OF COMMITTEE.

Mr. Van Deventer, from Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills ask leave to report that they have examined the following bills and find the same correctly enrolled:

S. F. No. 99, A bill for an act to legalize the organization of the independent school district of New Hartford, county of Butler, Iowa.

Also, S. F. No. 149, A bill for an act to legalize the plat of the town of Atlantic, in Cass county, Iowa, and to legalize all conveyances of lots heretofore made by the number of lots and blocks as now designated on said plat.

Also, S. F. No. 59, A bill for an act enabling the county of Appanoose to transfer the "bond fund" in the county treasury of said county to the "swamp land fund."

J. VAN DEVENTER, *Chairman.*

H. F. No. 26, A bill for an act to amend chapter 86 of the acts of the Tenth General Assembly of Iowa, approved, March 28th, 1864, and legalizing contracts made within the limits of this act, was taken up and considered.

The bill was ordered to be engrossed and to be read a third time.

Mr. Caldwell moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

Mr. Irish moved to reconsider the vote by which the rule was suspended and the bill read a third time.

The motion prevailed.

The question on the motion to suspend the rule did not prevail.

The joint resolution in regard to appropriating public lands in aid of railroads, was taken up and adopted.

By leave, Mr. Beatty, of Cedar, called up H. F. No. 230, A bill for an act to legalize the incorporation of the independent school district of Stanwood, Cedar county, Iowa, was taken up and considered.

The bill was ordered engrossed and to be read a third time.

Mr. Beatty moved that the rule be suspended, and the bill considered engrossed and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Blakely, Bliss, Bonewitz, Butler, Cadwell, Caldwell, Campbell, Cardell, Carver, Clark, of Benton; Close, Crawford, Danforth, Davis, Davisson, Day, Dayton, Draper, Dumont, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Goodspeed, Hall, Hanson, Hewitt, Hilton, Hopkirk, Hovey, Irish, Johnston, Kasson, Leahy, Litzenberg, Maxwell, McAllister, McClure, McOov, Merrell, Miller, Mills, Newbold, O'Donnell, Paul, Peet, Perkins, Pratt, Reed, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Teal, Tufts, Van Deventer, Van Meter, Van Saun, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 87.

The nays were none.

Absent or excused—

Messrs. Appleton, Booth, Christoph, Clarke, of Iowa; Duncan, Gear, Green, Hanan, Heberling, Keables, Lee, Morrison, and Tuttle—Total, 13.

So the bill passed and the title was agreed to.

The hour for the House to go into Committee of the Whole on the consideration of the report of the Code Commissioners having arrived, Mr. Kasson moved that the House now resolve itself into a Committee of the whole.

The motion prevailed, and the Speaker called Mr. Kasson to the Chair.

The Committee arose, reported progress, and asked leave to sit again.

The Chairman submitted the following report:

MR. SPEAKER :—The Committee of the whole House have had under consideration the report of the Commissioners to revise and rewrite the statute, beg leave to report that they have made some progress therein, and ask leave to sit again.

On motion of Mr. Newbold, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, Feb. 27th, 1872. }

House convened pursuant to adjournment.

The Speaker in the chair.

Prayer by Rev. P. P. Ingalls.

Journal of yesterday read and approved.

PETITIONS.

Mr. Keables presented the petition of citizens of Marion county, praying for the enactment of a law regulating freight tariffs on railroads.

Referred to Committee on Railroads.

Mr. Hall presented the memorial of Anson Bangs for relief in certain cases therein mentioned.

Referred to Committee on Judiciary.

Mr. Gear presented a petition from citizens of Des Moines county, praying for the enactment of a law taxing railroad property as other property in this State.

Referred to Committee on Railroads.

Mr. Struthers presented a petition from citizens of Pocahontas county, praying for the enactment of a law prohibiting fishing with seines and nets in the lakes of this State.

Referred to Committee on Agriculture.

Mr. Irish presented a petition from citizens of Johnson county, praying for the enactment of a judicious license liquor law.

Referred to Committee on the Suppression of Intemperance.

Mr. Green presented the petition of citizens of Scott county, remonstrating against the enactment of a more stringent liquor law, and against the repeal of the present law, allowing the manufacture and sale of wine and beer.

Referred to Committee on the Suppression of Intemperance.

Mr. Tuttle presented a petition from citizens of Polk county on the same subject, which was referred to Committee on the Suppression of Intemperance.

Mr. Draper presented a petition from citizens of Jasper county on the same subject, which was referred to Committee on the Suppression of Intemperance.

Mr. Ballinger presented the petition of citizens of Lee county, praying for the enactment of the "Ohio liquor law."

Referred to Committee on the Suppression of Intemperance.

Mr. Struthers presented the petition of citizens of Pocahontas county, praying for a law protecting fur-bearing animals during certain seasons of the year.

Referred to Committee on Agriculture.

Mr. Schweer presented a petition from citizens of Lee county, remonstrating against the enactment of a more stringent liquor law, or the repeal of the present wine and beer clause.

Referred to Committee on the Suppression of Intemperance.

Mr. Kasson presented a petition of 250 citizens of Polk county, praying for a judicious license liquor law, and remonstrating against the repeal of the present wine, beer and cider clause.

Referred to Committee on the Suppression of Intemperance.

Mr. Struthers presented a petition from citizens of Pocahontas county, in regard to the stock law.

Referred to Committee on Agriculture.

#### REPORTS OF COMMITTEES.

Mr. Butler submitted a report from Committee on Public Buildings with accompanying bill, H. F. No. 265, A bill for an act to amend the act to provide a State capitol, approved April 13, 1870.

Read a first and second time and ordered printed and made a special order for the first Monday in March.

The report is as follows :

MR. SPEAKER—Your Committee on Public Buildings have framed the accompanying bill: A bill for an act to amend the act to provide a State Capitol, approved April 13th, 1870, beg leave to report that they have had the same under consideration, and have instructed me to report the same to the House with the recommendation that it do pass.

WM. BUTLER, *Chairman.*

Mr. Bonewitz, from Committee on County and Township Organizations, submitted the following report :

MR. SPEAKER:—Your Committee on County and Township Organizations, to whom was referred H. F. No. 139, A bill for an act prescribing the manner of paying county orders, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, S. F. No. 68, A bill for an act to legalize the acts of Wm. H. Price as auditor of Carroll county, Iowa, in taking and certifying acknowledgments to certain school fund mortgages, and other instruments of conveyance of real estate, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, S. F. No. 75, A bill for an act pertaining to the division of civil townships, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

P. G. BONEWITZ, *Chairman.*

Mr. Hopkirk, from Committee on Roads and Highways, submitted the following report:

MR. SPEAKER:—Your Committee on Roads and Highways, to whom was referred H. F. No. 184. A bill for an act providing for the construction of bridges in certain cases, and requiring the levy of taxes therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it pass with the following amendments: Strike out of the ninth line of section first, the words, "it shall be the duty of," and out of the tenth line of the same section, the words, "without delay," and insert the word "may." Strike out of the eleventh line the word "to," before the word "levy." Add to the end of the section, "and provided further, that the board of supervisors shall not aid in the construction of more than one such bridge in any two consecutive years." Strike out of the sixth line of section second, the words, "it shall not be obligatory upon," and out of the same line the word "to," and insert the words "shall not." Strike out of section three, the words "by the General Assembly."

WILLIAM HOPKIRK, *Chairman.*

Mr. Pratt, from Judiciary Committee, submitted the following report:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 97, A bill for an act to protect the feeders of stock, and the substitute therefor, reported by the Committee on Agriculture, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the substitute reported by the Committee on Agriculture, be amended by the adoption of the substitute herewith presented, and that said substitute do pass.

H. O. PRATT, *Chairman.*

Mr. Peet, from Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER:—The Committee on Engrossed Bills ask leave to report that they have examined the following bill, and find the same correctly engrossed:

H. F. No. 26, A bill for an act to amend chapter 86 of the acts of the Tenth General Assembly of Iowa, approved March 28th, 1864, and legalizing contracts made within the limits of this act.

C. T. PEET, *Chairman.*

The hour having arrived for the consideration of the special



order, substitute for H. F. No. 22, A bill for an act to authorize the improvement of streets and alleys.

Mr. Gear moved to take up the special order.

The motion prevailed.

The substitute was taken up and considered.

The amendment recommended by the Committee was adopted.

Mr. Gear moved to amend as follows: after the word "town," in the sixth line of the first section, insert "but no street shall be graded except the same be ordered to be done by the affirmative vote of two-thirds of such city council or trustees."

The amendment was adopted.

Mr. Hall moved to amend by offering a substitute.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate.

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following resolution, in which the concurrence of the House is asked:

*Resolved by the Senate, the House concurring,* That our Senators and Representatives in Congress be and are hereby earnestly requested to use their efforts to procure at an early day the passage of a law providing for a connection with and adding to the present post-office facilities a complete system of telegraph, so as to bring it within the reach and means of the great mass of the people.

Also, that the Senate has passed H. F. No. 74, A bill for an act to amend section 1103 of the Revision of 1860, with the following amendments, viz: strike out of the first section the words "appointed by the mayor with the approval of the council or town trustees," and insert the words "elected by the town or city council or trustees."

Also, strike out the word "appointed," in same section, and insert the word "elected."

Also, strike out of same section the words "mayor and."

All the amendments are noted in the bill, and the concurrence of the House in the same is respectfully asked.

J. A. T. HULL, *Secretary.*

Mr. Gear moved that the bill be referred to a Special Committee of seven, and be made a special order for next Thursday, March 7th, at eleven o'clock, A. M., and ordered printed.

The motion prevailed.

Leave was granted Mr. Caldwell to offer the following resolution, which was adopted:

*Resolved,* That on Tuesdays, Thursdays, and Saturdays, this House will hold no afternoon sessions, leaving the afternoons of those days for meetings of committees, until further orders.

## INTRODUCTION OF BILLS.

Mr. Irish introduced H. F. No. 266, A bill for an act for the protection of tax-payers in townships which have voted a tax to aid in the construction of railroads, under chapter 48, acts of the Twelfth General Assembly, and chapter 102, acts of the Thirteenth General Assembly.

Read a first and second time, and referred to Committee on Railroads.

Mr. Kasson introduced H. F. No. 267, A bill for an act to legalize the acts of the board of directors of the district township of Delaware, Polk county, Iowa.

Read a first and second time, and referred to Committee on Schools.

Mr. Close introduced H. F. No. 268, A bill for an act for the compilation of the revenue laws and for the publication and distribution of the same, and for other purposes.

Read a first and second time, and referred to Committee on Ways and Means.

Mr. Keables introduced H. F. No. 269, A bill for an act to legalize the annexation of territory to the city of Pella, Iowa, the abandonment of its special charter, and of other acts of said city.

Read a first and second time, and referred to Committee on Incorporations.

Mr. Davis introduced H. F. No. 270, A bill for an act to legalize the incorporation of the town of Corning, and the acts of the officers and town council thereunder.

Read a first and second time, and referred to Committee on Incorporations.

Mr. Ericson introduced H. F. No. 271, A bill for an act to amend section 1, chapter 51, acts of the Tenth General Assembly, relating to the appraisement of property sold on execution.

Read a first and second time, and referred to Committee on Judiciary.

Leave was granted to Mr. Irish to call up the Senate message, H. F. No. 74, A bill for an act to amend section 1103 of the Revision of 1860.

On concurring in the Senate amendments, the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Blakely, Bliss, Bonewitz, Booth, Butler, Cadwell, Caldwell, Campbell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Hewett, Hilton, Hopkirk, Hovey, Irish, Johnston, Keables, Leahy, Litzenberg, Maxwell, McClure, McCoy, Merrell,

Miller, Mills, Newbold, O'Donnell, Paul, Peet, Perkins, Reed, Reuther, Rice, Rohlf's, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Struthers, Tasker, Teale, Tufts, Tuttle, Van Deventer, Van Meter, Van Saun, Williams, Whitten, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 89.

The nays were—

Messrs. Davisson, and Stow—Total, 2.

Absent or excused—

Messrs. Appleton, Christoph, Hanan, Heberling, Kasson, Lee, McAllister, Morrison, and Pratt—Total, 9.

So the House concurred in the amendments recommended by the Senate.

Mr. Rohlf's introduced H. F. No. 272, A bill for an act to encourage and promote immigration to the State of Iowa, and for other purposes.

Read a first and second time, and referred to Committee on Ways and Means.

Mr. Olose moved to reconsider the vote by which the resolution constituting a special committee composed of the chairmen of the several State institution committees was adopted.

The motion prevailed.

Mr. Tufts offered the following resolution:

*Resolved*, That consideration of the special appropriations asked for by the Agricultural College, State University, Penitentiary, Asylum for the Blind, Asylum for the Insane, Asylum for the Deaf and Dumb, Orphans' Home, Reform School, and other public buildings, be referred to the Committee on Expenditures.

Mr. Hall moved to strike out Committee on Expenditures, and insert Ways and Means.

Mr. Irish moved to refer the whole matter to Committee on Rules.

The motion prevailed.

Mr. Ainsworth moved that Mr. Morrison be excused from serving on Committee on Rules, and that another member be appointed.

The motion prevailed.

On motion of Mr. Leahy, Mr. Bliss was added to Committee on Railroads, in place of Mr. Morrison.

Mr. Van Deventer from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills, respectfully report that they have this day presented to the Governor for his approval the following bills, viz:

S. F. No. 59, An act enabling the county of Appanoose, to transfer the bond fund in the county treasury of said county, to the swamp land fund.

Also, H. F. No. 132, An act to legalize the plat of the village of Northwood, in Worth county, Iowa, and legalize all conveyances of lots heretofore made, by the number of lots and blocks as now specified in said plat.

Also, S. F. No. 129, A bill for an act to legalize the plat of the town of Atlantic in Cass county, Iowa, and to legalize all conveyances of lots heretofore made by the number of lots and blocks, as now designated on said plat.

Also, H. F. 99, An act to legalize the organization of the townships of Silver Lake and Lloyd, in Dickinson county, Iowa.

Also, S. F. No. 99, An act to legalize the organization of the Independent School District of New Hartford, county of Butler Iowa.

J. VAN DEVENTER, *Chairman*.

MR. SPEAKER:—The Committee on Enrolled Bills, ask leave to report that they have examined the following bill and find the same correctly enrolled:

H. F. No. 216, A bill for an act fixing the time for holding district courts in Chickasaw county, Iowa, and repealing paragraph 6, section 15, chapter 98, acts of the Tenth General Assembly.

J. VAN DEVENTER, *Chairman*.

Mr. Bergh offered the following resolution:

*Resolved by the House of Representatives, the Senate concurring,* That the Secretary of State be instructed to order printed in pamphlet form, 1000 copies of the catalogue of the Iowa State Library, now ready for publication, two copies of said catalogue for the use of each member of this General Assembly, and the remaining copies for the use of the State Library, and for distribution.

Mr. Dumconbe moved to amend by striking out 1000, and inserting 2000.

The motion did not prevail.

The resolution was adopted.

Leave was granted to Mr. Cadwell to introduce H. F. 273, A bill for an act to amend chapter 160, of the acts of the Twelfth General Assembly, creating the office of County Auditor.

Read a first and second time, and referred to Committee on Judiciary.

The Speaker announced as a Special Committee, on H. F. No. 22, Messrs. Gear, Kasson, Green, Van Deventer, O'Donnell, Allinger, and Beresheim.

Leave was granted to Mr. Clark, of Benton, to call up H. F. No. 49, A bill for an act to repeal chapter 118, laws of the Eleventh General Assembly, &c.

Mr. Clark, of Benton, moved to recommit the bill to Committee on Ways and Means.

Mr. Duncombe moved to amend by instructing the Committee as follows:

With instructions to so amend the bill as to provide for the publication of such acts, as take effect prior to the fourth of July following their passage, and such acts of a general nature, as the Census Board may order published prior to the general distribution of the laws in pamphlet form.

The motion to instruct prevailed.

The motion to recommit and to make the bill a special order for next Friday, at 11 o'clock a. m., prevailed.

On motion of Mr. Blakely, the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, February 28, 1872. }

House convened pursuant to adjournment.

The Speaker in the Chair.

Prayer by Rev. W. J. Gill.

The journal of yesterday was read and approved.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following resolution, in which the concurrence of the House is asked:

Concurrent resolution in relation to material furnished and work done on the new capitol building, and providing for a committee to investigate the whole matter.

I am also directed to inform your honorable body that the Senate has concurred in House resolution instructing Committee on Claims of each House in regard to keeping a record.

Also, that the Senate has agreed to a Committee of Conference on the disagreeing vote of the two Houses on the substitute for S. F. No. 1, and has appointed Senators West, McKean, and McCormick such committee on the part of the Senate.

W. L. VESTAL, *First Ass't Secretary.*

#### REPORT OF COMMITTEE.

Mr. Van Deventer submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills ask leave to

report that they have examined the following bill, and find the same correctly enrolled :

H. F. No. 74, A bill for an act to amend section 1103, of the Revision of 1860.

J. VAN DEVENTER, *Chairman.*

PETITIONS.

Mr. Mills presented a petition from citizens of Cass county, asking for a law regulating tariffs on railroads.

Referred to Committee on Railroads.

Mr. Gear presented a petition from citizens of Des Moines county against a law taxing lands for a levy along the Mississippi river.

Referred to Committee on Internal Improvements.

Mr. Irish presented a petition from citizens of Jonnson county, asking for the enactment of a judicious license liquor law.

Mr. Gear presented a petition from citizens of Des Moines county relating to the formation of a new school district in said county.

Referred to Committee on Schools.

Mr. Dayton presented a petition from citizens of Allamakee county Iowa, praying for a law regulating tariffs on railroads.

Referred to Committee on Railroads.

Mr. Cadwell presented a petition from citizens of Harrison county on the same subject, which was referred to Committee on Railroads.

Mr. Litzenburg presented a petition from citizens of Scott county asking for a more stringent liquor law, and remonstrating against the enactment of the Ohio liquor law.

Referred to Committee on Suppression of Intemperance.

Mr. Peet presented a petition from citizens of Delaware county, praying that the office of county superintendent of common schools be abolished.

Referred to Committee on Schools.

Mr. Hanson presented a petition from citizens of Henry county, remonstrating against a more stringent liquor law, and against the repeal of the wine and beer clause in the present law.

Referred to Committee on the Suppression of Intemperance.

Mr. Mills presented the petition of certain citizens of Cass county, asking for a law regulating freights on railroads.

Referred to Committee on Railroads.

Mr. Ballinger presented a petition from citizens of Lee county, remonstrating against a more stringent liquor law.

Referred to Committee on the Suppression of Intemperance.

Mr. Ballinger presented a petition from citizens of Lee county in regard to private roads.

Referred to Committee on Roads and Highways.

Mr. Ballinger presented the petition of citizens of Lee county, remonstrating against the passage of H. F. No. 96, and S. F. No. 27, in regard to light fluids.

Referred to Committee on Police regulations.

Mr. Mills presented the petition of citizens of Cass county, in regard to the stock law.

Referred to Committee on Agriculture.

Mr. Kasson presented a petition from citizens of Polk county in regard to regulating freights on railroads.

Referred to Committee on Railroads.

Mr. Beresheim moved that two members of the minority party in this House be appointed on the Committee on Congressional Districts.

The motion prevailed.

#### REPORTS OF COMMITTEES.

Mr. Hall submitted a report from the State University, which was passed on file and ordered printed.

Mr. Rule, from Committee on Domestic Manufactures submitted the following report :

MR. SPEAKER:—Your Committee on Domestic Manufactures, to whom was referred H. F. No. 217, A bill for an act to encourage and promote manufacturing in the State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with a substitute, with a recommendation that the substitute do pass. Also, refer back petitions relating to same.

GEO. RULE, *Chairman.*

Mr. Ainsworth, from Judiciary Committee, submitted the following report :

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 170, A bill for an act relinquishing an escheat in Des Moines county to John Parrott, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

L. L. AINSWORTH, *of Committee.*

Mr. McAllister, from the Committee on Incorporations, submitted the following report :

MR. SPEAKER:—Your Committee on Incorporations, to whom was referred S. F. No. 101, A bill for an act to legalize the acts of the independent school district of Ossian, in Military township, Winneshiek county, in making an over issue of bonds for school-house purposes, beg leave to report that they have had the same



under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, H. F. No. 220, A bill for an act to legalize the incorporation of the town of Corning, and the acts of the officers and town council thereunder, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, H. F. No. 257, A bill for an act to devote the public square in Algona to court house purposes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, a petition from a number of citizens of Jackson county, Iowa, praying for an appropriation of \$5,000 by the General Assembly, for the relief of a debt incurred by the establishment by Rev. J. M. Schuller, of an asylum for orphan and destitute children in Jackson county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be referred to Committee on Charitable Institutions.

McALLISTER, *Chairman.*

The petitions were referred to Committee on Charitable Institutions.

Mr. Tufts, from special committee on H. F. 86, submitted the following report :

MR. SPEAKER :—Your special committee to whom was referred H. F. No. 86, A bill for an act to amend chapter 61 of the Revision of 1860, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be referred to the Committee on Agriculture.

TUFTS, *Chairman.*

The bill was referred to Committee on Agriculture.

Mr. Caldwell, from Committee on Railroads, submitted the following report :

MR. SPEAKER :—Your Committee on Railroad, to whom was referred S. F. No. 113, A bill for an act to amend section 5, chapter 11, laws of the Fourteenth General Assembly of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

CALDWELL, *Chairman.*

Mr. Beatty, from Committee on Commerce, submitted the following report :

**MR. SPEAKER :—**Your Committee on Commerce, to whom was referred H. F. No. 105, A bill for an act to tax vendors of patent rights, and to regulate the negotiability of promissory notes and other writing given therefor, beg leave to report that they have had the same under consideration, and a majority of the committee have instructed me to report the same back to the House with the accompanying substitute, with the recommendation that the substitute do pass.

**J. W. BEATTY, *Chairman.***

Mr. Pratt, from Committee on Judiciary, submitted the following report :

**MR. SPEAKER :—**Your Committee on the Judiciary, to whom was referred H. F. No. 136, A bill for an act to repeal sections 4149 and 4152 of the Revision of 1860, and providing a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be referred to the Committee on the Compensation of Public officers.

Also, H. F. No. 27, A bill for an act to limit the time in which the legality of the organizations of cities, incorporated towns, and other civil or municipal corporations can be questioned by suit or otherwise, and also a substitute therefore, beg leave to report that they have had the same under consideration, and a majority of said committee have instructed me to report the same back to the House with the recommendation that said bill be amended by the adoption of said substitute, and that said substitute do pass.

Also, H. F. No. 155, A bill for an act to regulate conditional sales of personal property, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended by the adoption of the substitute herewith reported, and recommend that said substitute do pass.

Also, H. F. No. 137, A bill for an act to suppress intemperance, &c., beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be referred to the Committee on Suppression of Intemperance.

Also, H. F. No. 104, A bill for an act to amend section 35, chapter 167, acts of the Thirteenth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

**H. O. PRATT, *Chairman.***

Mr. Newbold, from Committee on Schools, submitted the following report :

MR. SPEAKER:—Your Committee on Schools, to whom was referred H. F. No. 212, A bill for an act to legalize the formation of independent school district number one, in Bloomfield township, Polk county, State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

J. G. NEWBOLD, *Chairman.*

Mr. Ainsworth, from Judiciary Committee, submitted the following report:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 234, A bill for an act to legalize the incorporation of the Des Moines, Boone & Northern Railway Company, and certain of its acts and contracts, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

L. L. AINSWORTH, *for Committee.*

•  
RESOLUTIONS.

By leave Mr. Pratt introduced the following concurrent resolution, which was adopted:

*Resolved by the House of Representatives, the Senate concurring,* That the State Printer be required after this date to furnish to the General Assembly fifty pages per day of the laws as reported by Code Commissioners, and if he cannot furnish the quantity named herein to report why he cannot do so.

By leave Mr. Irish offered the following resolution, which was adopted:

*Resolved,* That the two janitors in the service of this House, be hereby created officers of the House.

INTRODUCTION OF BILLS.

Mr. Hilton introduced H. F. No. 274, A bill for an act to prohibit the manufacture, sale, or keeping of spirituous liquors.

Read a first and second time, and referred to Committee on Police Regulations, and ordered printed.

Mr. Wilson, of Keokuk, introduced H. F. No. 275, A bill for an act providing against loss of life on railroads.

Read a first and second time, and referred to Committee on Railroads.

• Mr. Caldwell introduced H. F. No. 276, A bill for an act to repeal chapter 106 of the acts of the Thirteenth General Assembly in relation to taxation of railroads.

Read a first and second time.

Mr. Caldwell moved that the bill be ordered engrossed for a third reading.

The Speaker announced that the hour for the special order had arrived, the consideration of H. F. No. 83, A bill for an act to repeal chapter 171 of the Laws of the Twelfth General Assembly, and chapter 174 of the Thirteenth General Assembly.

On motion of Mr. Irish, the special order was taken up and considered.

Mr. Leahy moved to amend as follows :

*Provided*, This repeal shall not apply to cities or towns of 2000 inhabitants and upwards.

Mr. Stow moved to amend the amendment by striking out 2000 and inserting 10000.

Leave was granted to Mr. Davis to introduce H. F. No. 277, A bill for an act to provide for an allowance to the Chief Justice of the Supreme Court for clerk hire.

Read a first and second time, and referred to Judiciary Committee.

Leave was granted to Mr. Leahy to introduce H. F. 278, A bill for an act for the protection of birds.

Read a first and second time, and referred to Committee on Agriculture.

On motion of Mr. Campbell the House adjourned.

• TWO O'CLOCK, P. M.

The Speaker called the House to order.

The question recurring on the amendment to the amendment, to strike out 2000 and insert 10000.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following bills in which the concurrence of the House is asked :

S. F. No. 48, A bill for an act to provide for establishing public libraries in district townships, and independent districts in the State of Iowa.

Also, S. F. No. 110. A bill for an act to legalize the levy of certain taxes in the townships of Monroe and Jefferson, in the county of Johnson, and State of Iowa.

I also transmit herewith certain petitions and memorials from the citizens of Johnson county in relation to S. F. No. 110.

J. A. T. HULL, *Secretary*.

The amendment to the amendment did not prevail.

Mr. Caldwell moved to amend the amendment by striking out 2,000 and inserting 5,000.

The motion did not prevail.

Mr. Leahy moved to amend the amendment by substituting the following :

*Provided* that this act shall not operate as a repeal of said chapter 171 in the case of cities containing a population of 5,000 or upwards, according to the latest census of such cities.

The amendment to the amendment did not prevail.

The amendment did not prevail.

The question being on ordering the bill engrossed for a third reading, Mr. Irish and Mr. Campbell demanded the yeas and nays, which were as follows :

The yeas were :—

Messrs. Ainsworth, Ballinger, Beatty, of Jasper ; Bergh, Blake, Blakely, Booth, Campbell, Danforth, Day, Dayton, Duncan, Duncombe, Evans, Flenniken, Freeman, Hall, Heberling, Hilton, Hopkirk, Johnson, Maxwell, McAllister, McCoy, Merrell, Miller, O'Donnell, Paul, Peet, Reed, Rice, Rohls, Rule, Sandry, Schweer, Skillin, Stewart, Stow, Struthers, Teale, Tuttle, Wood, of Clay ; Wood, of Story ; and Wright, of Van Buren—Total, 43.

The nays were :—

Messrs. Beatty, of Cedar ; Beresheim, Blackman, Bliss, Bonewitz, Butler, Cadwell, Caldwell, Cardell, Carver, Clark, of Benton ; Clarke, of Iowa ; Close, Crawford, Davis, Davisson, Draper, Durham, Ellsworth, Ericson, Gear, Goodspeed, Green, Hanson, Hewett, Hovey, Irish, Kasson, Keables, Leahy, Lee, Litzenberg, McClure, Newbold, Perkins, Pratt, Secor, Stedman, Tasker, Tufts, Van Deventer, Van Meter, Van Saun, Whitten, Williams, Wilson, of Keokuk ; Wilson, of Washington ; Wright, of Mills ; and Mr. Speaker—Total, 49.

Absent or excused :—

Messrs. Appleton, Christoph, Dumont, Hanan, Mills, Morrison, and Reuther—Total, 7.

So the House refused to order the bill engrossed for a third reading.

The Speaker announced Messrs. Day and O'Donnell on Committee of Congressional Districts.

The hour having arrived for the House to resolve itself into the Committee of the Whole on the consideration of the report of the Code Commissioners, Mr. Kasson moved that the House resolve itself into Committee of the Whole.

The motion prevailed.

The Speaker called Mr. Kasson to the Chair.

The Committee arose, reported progress, and asked leave to sit again.

By leave, Mr. Clarke, of Iowa, offered the following resolution :

*Resolved*, That on every morning this House do meet at 9:30.

## REPORTS OF COMMITTEES.

Mr. Van Deventer, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER:—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bills, viz :

H. F. No. 74, An act to amend section 1103 of the Revision of 1860.

Also, H. F. No. 216, An act to fix the time for holding district courts in Chickasaw county, Iowa.

J. VAN DEVENTER, *Chairman.*

On motion of Mr. Duncombe, the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, February 29, 1872. }

House convened pursuant to adjournment.

The Speaker in the Chair.

Prayer by Rev. C. C. Maybee.

The journal of yesterday was read and approved.

## UNFINISHED BUSINESS.

The question recurring on the resolution offered by Mr. Clarke, of Iowa, fixing the morning session of the House at 9:30.

The motion did not prevail.

The question recurring on ordering engrossed H. F. No. 276, A bill for an act to repeal chapter 106, Thirteenth General Assembly, in relation to taxation of railroads.

Mr. Duncombe moved to refer the bill to Committee on Railroads.

On motion to refer, Mr. Caldwell demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Butler, Clark, of Benton; Clarke, of Iowa; Close, Danforth, Davis, Davison, Day, Dumont, Duncan, Duncombe, Durham, Ericson, Evans, Flenniken, Freeman, Green, Heberling, Hewett, Hovey, Irish, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, Merrell, Miller, Newbold, Peet, Perkins, Pratt, Rohlf, Rule, Secor, Skillin, Stedman,

Stow, Struthers, Teale, Tufts, Tuttle, Van Deventer, Van Saun, Williams, Wilson, of Keokuk; Wood, of Clay; Wood, of Story; Wright, of Mills—Total, 59.

The nays were—

Messrs. Ainsworth, Ballinger, Blakely, Bliss, Bonewitz, Cadwell, Caldwell, Campbell, Cardell, Carver, Crawford, Dayton, Draper, Ellsworth, Gear, Goodspeed, Hall, Hanson, Hilton, Hopkirk, McCoy, O'Donnell, Paul, Reed, Rice, Sandry, Schweer, Stewart, Tasker, Van Meter, Whitten, Wilson, of Washington; Wright, of Van Buren; and Mr. Speaker—Total, 34.

Absent or excused—

Messrs. Appleton, Booth, Christoph, Hanan, Mills, Morrison, and Reuther—Total, 7.

So the motion to refer prevailed.

By leave Mr. Duncombe introduced H. F. No. 279, A bill for an act to tax railroad property, regulating such taxation, and releasing certain taxes therein named.

Read a first and second time, and referred to Committee on Railroads, and ordered printed.

Leave was granted to Mr. Williams to present a petition from citizens of Marshall county for a more stringent liquor law.

Referred to Committee on the Suppression of Intemperance.

The hour having arrived for the special order, the consideration of bills and petitions pertaining to the subject of intemperance, Mr. Irish moved to take up the special order.

The motion prevailed.

Mr. Irish moved to take up H. F. No. 187, A bill for an act to suppress intemperance, and regulate and license the sale of spirituous, vinous, malt and other intoxicating liquors, to prohibit the sale of adulterated liquors, to repeal all former laws contravening this act, and prescribing penalties for the violation thereof.

The motion prevailed.

Mr. Beatty, of Cedar, moved that the bill be indefinitely postponed.

Mr. Irish moved to amend section one by striking out of second line "or giving away," and insert the word "or."

The amendment prevailed.

Mr. Irish moved to amend by adding a new section : Section 9. All acts and parts of acts contravening this act are hereby repealed.

The amendment was adopted.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER :—I am directed to inform your honorable body that the Senate has passed the following resolution, in which the concurrence of the House is asked :



Resolution in relation to printing parts three and four of the Revised Statute.

Resolution herewith submitted.

C. V. GARDNER, *Second Ass't Secretary.*

Mr. Peet moved to amend by striking out sections five and six.

Mr. McAllister moved to amend the amendment by offering a substitute.

Mr. Kasson, from Conference Committee, submitted the following report :

The Committee of Conference on the disagreeing votes of the two Houses upon the Senate amendments to the House amendments of substitute for S. F. No. 1; having met, after full and free conference have agreed to report and do report to their respective Houses as follows :

That the House recede from its disagreement to the Senate amendment of the first House amendment, [being the first *proviso* in the bill,] and adopt the same.

That in place of the Senate amendment to the second House amendment [being the second *proviso* in the bill,] the following be adopted as a substitute, viz :

*And provided further,* That in any case in which a tax shall have been voted by any township, city, or incorporated town, under the provisions of either of said laws hereby repealed, in aid of any railroad, the grading whereon within the county where such tax has been voted shall have been abandoned, or suspended for not less than two years prior to the collection or payment of such tax to the railroad company, such tax shall not be collected or paid over to the railroad company, until the road shall be completed and the rails laid within the district where such tax was to be expended ; and if not so completed and railed by the first day of December, 1872, in all cases aforesaid where taxes have been heretofore voted, and the grading abandoned or suspended, such vote and the levy thereof shall become void, and the same shall be cancelled on the books ; and any moneys which may have been collected on the same, and shall then be in the treasury, shall be refunded to the persons who have paid the same ; and also in all cases in which the work shall not have been in good faith commenced within two years after the levy of the tax, the vote and levy thereof shall in like manner become void and shall be cancelled, and the taxes collected be returned as aforesaid.

JOHN A. KASSON,

J. F. DUNCOMBE,

*Managers on the part of the House.*

J. P. WEST,

JOHN McKEAN,

J. L. McOORMACK,

*Managers on the part of the Senate.*

The question being on the adoption of the report, the yeas and nays were as follows :

The yeas were—

Messrs. Beatty, of Cedar ; Beatty, of Jasper ; Beresheim, Bergh, Blackman, Blake, Bonewitz, Butler, Cadwell, Caldwell, Campbell, Cardell, Carver, Clark, of Benton ; Clarke, of Iowa ; Close, Crawford, Danforth, Davis, Davisson, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewitt, Hilton, Hopkirk, Hovey, Irish, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Miller, Newbold, O'Donnell, Paul, Peet, Perkins, Pratt, Reed, Rice, Rohlts, Rule, Sandry, Secor, Skillin, Stedman, Stewart, Struthers, Tasker, Tuttle, Van Deventer, Van Meter, Van Saun, Whitten, Williams, Wilson, of Keokuk ; Wilson, of Washington ; Wood, of Clay ; Wood, of Story ; Wright, of Mills ; Wright, of Van Buren ; and Mr. Speaker—Total, 84.

The nays were—

Messrs. Ainsworth, Ballinger, Blakely, Bliss, Flenniken, Schweer, Stow, Teal, Tufts —Total, 9.

Absent or excused—

Messrs. Appleton, Booth, Christoph, Hanan, Mills, Morrison, and Renter—Total, 7.

So the report of the Conference Committee was adopted.

The question recurring on the special order.

The amendment to the amendment did not prevail.

The amendment did not prevail.

On the question of ordering the bill to be engrossed for a third reading, Messrs. Irish and McAllister demanded the yeas and nays, which were as follows :

The yeas were—

Messrs. Ainsworth, Beresheim, Bergh, Blake, Blakely, Butler, Campbell, Dayton, Duncombe, Flenniken, Gear, Green, Hall, Heberling, Irish, Merrell, O'Donnell, Paul, Reed, Rohlts, Rule, Sandry, Schweer, Skillin, Stewart, Stow, Tuttle, Van Deventer, and Wilson, of Keokuk—Total, 29.

The nays were—

Messrs. Ballinger, Beatty, of Cedar ; Beatty, of Jasper ; Blackman, Bliss, Bonewitz, Cadwell, Caldwell, Cardell, Carver, Clark, of Benton ; Clarke, of Iowa ; Close, Crawford, Danforth, Davis, Davisson, Day, Draper, Dumont, Duncan, Durham, Ellsworth, Ericson, Evans, Freeman, Goodspeed, Hanson, Hewett, Hilton, Hopkirk, Hovey, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, McCoy, Miller, Newbold, Peet, Perkins, Pratt, Rice, Secor, Stedman, Struthers, Tasker, Teale, Tufts, Van Meter, Van Saun, Whitten, Williams, Wilson, of Washington ; Wood, of Clay ; Wood, of Story ; Wright, of Mills ; Wright, of Van Buren ; and Mr. Speaker—Total, 64.

Absent or excused—

Messrs. Appleton, Booth, Christoph, Hanan, Mills, Morrison, and Reuther—Total, 7.

So the House refused to order the bill engrossed.

Mr. Teale moved to take up H. F. No. 103.

The motion prevailed.

Mr. Merrill moved that when this House adjourn it adjourn till to-morrow morning at ten o'clock.

The motion prevailed.

Mr. Irish moved to reconsider the vote by which the House refused to order engrossed H. F. No. 83. The consideration of which motion was postponed.

On leave, Mr. Draper offered the following resolution, which was adopted.

*Resolved*, That R. W. Chapin be allowed the privilege of having a fruit and cigar stand at the entrance of this hall, in place of F. M. Higginson, who has been appointed doorkeeper of the Senate.

On motion of Mr. Newbold, the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, March 1st, 1872. }

House convened pursuant to adjournment.

The Speaker in the chair.

Prayer by Rev. D. H. Kooker.

Journal of yesterday read and approved.

By leave Mr. Kasson called up concurrent resolution asking a committee of investigation to inquire into the character of the stone used in the foundation of the new Capitol.

Mr. Kasson moved that the House concur in the resolution.

The motion prevailed.

By leave Mr. Pratt called up the concurrent resolution in relation to printing the Code, which was concurred in by the House.

Leave of absence was granted to Mr. Wilson, of Washington.

By leave Mr. Davis called up H. F. No. 270, A bill to legalize the incorporation of the town of Corning, in Adams county, Iowa.

The bill was taken up and considered.

Mr. Davis moved that the rules be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Blakely, Bliss, Bonewitz, Butler, Cadwell, Caldwell, Campbell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Davisson, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Gear, Goodspeed, Hall, Hanson, Hewett, Hilton, Hopkirk, Hovey, Irish, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, McAllister, McClure, McCoy, Merrell, Miller, Newbold, O'Donnell, Peet, Pratt, Reed, Rice, Rohlf, Rule, Sandry, Schweer Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Teal, Tuft, Van Meter, Van Saun, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren, and Mr. Speaker—Total, 85.

The nays were none.

Absent or excused—

Messrs. Ballinger, Booth, Cardell, Christoph, Green, Hanan, Heberling, Maxwell, Mills, Morrison, Paul, Perkins, Reuther, Tuttle, and Van Deventer,—Total, 15.

So the bill passed and the title was agreed to.

By leave, Mr. Keables called up S. F. No. 113, A bill for an act to amend section 5, chapter 11, of the laws of the Eleventh General Assembly.

The bill was taken up and considered.

Mr. Keables moved that the rules be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed. The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were:—

Messrs. Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Bliss, Cadwell, Caldwell, Carver, Clark, of Benton; Clarke, of Iowa; Davis, Davisson, Dayton, Draper, Duncan, Duncombe, Durham, Ellsworth, Ericson, Flenniken, Freeman, Gear, Green, Hewett, Hovey, Johnston, Keables, Leahy, Litzenberg, McClure, Merrell, Miller, Newbold, O'Donnell, Pratt, Rice, Rohlf, Rule, Sandry, Secor, Stedman, Struthers, Teale, Van Deventer, Van Meter, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay, and Mr. Speaker—Total, 53.

The nays were:—

Messrs. Ainsworth, Blakely, Bonewitz, Butler, Campbell, Close, Crawford, Danforth, Day, Dumont, Evans, Goodspeed, Hall, Hanson, Hilton, Hopkirk, Irish, Kasson, Lee, McAllister, Newbold, Peet, Reed, Schweer, Skillin, Stewart, Stow, Tasker, Tufts, Tuttle, Van Saun, Whitten, Wood, of Story; Wright, of Mills; and Wright, of Van Buren—Total, 34.

Absent or excused :—

Messrs. Blake, Booth, Cardell, Christoph, Hanan, Heberling, Maxwell, McCoy, Mills, Morrison, Paul, Perkins, and Reuther—  
Total, 13.

So the bill passed, and the title was agreed to.

By leave, Mr. Beresheim offered the following resolution, which was passed on file :

*Resolved by the House of Representatives, the Senate concurring,*  
That this General Assembly adjourns on and from April 1, next, until the — day of — 187—.

Leave of absence was granted Mr. Reuther.

Leave was granted to Mr. Keables to present a memorial from certain citizens of Sioux county, asking for legislation to enable county officers elect to take possession of their offices, with accompanying bill, H. F. No. 280, A bill for an act to enable circuit judges to accept bonds of county officers in certain cases.

Read first and second time, and referred to Committee on Judiciary.

Mr. Teale moved to take up the special order, the consideration of H. F. No. 103, A bill for an act for the suppression of intemperance.

The motion prevailed.

The bill was taken up and considered.

Leave of absence was granted to Messrs. Campbell, Van Saun, and Close.

The Speaker announced as Committee of Investigation on the part of the House, on the capitol question, Messrs. Leahy, Davis, and Paul.

The question recurring on the consideration of H. F. No. No. 103, the amendment to section 1, recommended by the committee was adopted.

The amendment recommended by the committee to section 3, was adopted.

The amendment to section 4, as recommended by the committee, was adopted.

Also the amendment to section 4, by adding at the end of said section, the words "and for the second conviction," was adopted.

Mr. Rohlf, moved to amend section 3 by striking out "83 per cent" and inserting 60 per cent.

Mr. Irish moved to amend the amendment by striking out all that portion of the bill which relates to the profits on the business.

Leave was granted to Mr. Rohlf to withdraw his amendment.

The amendment did not prevail.

Mr. Ainsworth moved to amend as follows :

In third line of section 3, after the word freights add "*and necessary expense incurred in carrying on the business.*"

The amendment did not prevail.

Mr. Teal moved to amend by adding additional section No. 5, as follows :

It shall be unlawful for any person holding a permit named herein to sell by agent or otherwise any spirituous or intoxicating liquors to any minor for any purpose whatever, unless upon the written order of his parent, guardian or family physician, or to sell the same to any intoxicated person, or to any person who is in the habit of becoming intoxicated, and any person violating the provisions of this section shall forfeit and pay to the school fund the sum of \$100 for each offense to be collected by action on his bond by any citizen of the county.

Mr. Hall moved to amend by inserting the word "*knowingly*" after the word "*sell*."

The motion prevailed.

The question recurring on the adoption of section 5, the motion to adopt the same prevailed.

Mr. Hall moved to strike out section 1.

The motion did not prevail.

Mr. Blackman moved to amend by striking out 33 per cent and inserting 10 per cent.

The motion did not prevail.

Mr. Stedman moved to amend as follows: "Strike out 83, in the third line and insert 75."

The amendment did not prevail.

Mr. Butler moved to amend by adding section 6, as follows :

Sec. 6. "Any person having a permit to sell liquor, who shall violate the provisions of the preceding section, in regard to the selling of intoxicating liquors to minors and habitual drunkards, or shall sell liquors that are adulterated, the permit of the said seller shall be immediately revoked.

The amendment did not prevail.

The bill was ordered to be engrossed and to be read a third time.

Mr. Teal moved that the rule be suspended and the bill considered engrossed and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows :

The yeas were:—

Messrs. Beatty, of Cedar; Beatty, of Jasper; Bergh, Blake, Bliss, Benewitz, Butler, Cadwell, Cardell, Carver, Clark, of Benton; Clarke of Iowa; Close, Crawford, Danforth, Davis, Davisson, Day, Draper, Dumont, Duncan, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Goodspeed, Hanson, Hewett, Hopkirk, Hovey, Johnston, Kasson, Leahy, Lee, Litzenberg, McAllister, McClure, Miller, Newbold, Peet, Rice, Secor, Stedman, Struthers,

Tasker, Teal, Tufts, Tuttle, Van Meter, Van Saun, Whitten, Williams, Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 60.

The nays were:—

Messrs. Ainsworth, Appleton, Ballinger, Beresheim, Blackman, Blakely, Caldwell, Campbell, Dayton, Duncombe, Gear, Green, Hall, Heberling, Hilton, Irish, Keables, McCoy, Merrell, O'Donnell, Pratt, Reed, Rohlf, Rule, Sandry, Schweer, Skillin, Stewart, Stow, Van Deventer, Wilson, of Keokuk—Total, 31.

Absent or excused:—

Messrs. Booth, Christoph, Hanan, Maxwell, Mills, Morrison, Paul, Perkins, and Reuther—Total, 9.

So the bill passed and the title was agreed to.

The Committee amendment to the title to the bill was adopted.

The hour having arrived for the consideration of H. F. No. 49, Mr. Kasson, from Committee on Ways and Means, submitted the following report, recommending amendments to the same:

MR. SPEAKER:—Your Committee on Ways and Means, to whom was referred H. F. No. 49, A bill for an act to amend chapter 118, of the laws of the Eleventh General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the unanimous recommendation that it be amended as follows, and that so amended that it do pass.

JOHN A. KASSON, *Chairman*.

The bill was taken up and considered.

The first amendment recommended by the Committee was adopted.

On the adoption of the second amendment recommended by the Committee, Mr. Duncombe moved to amend the same as follows: insert "of a general nature which apply to the entire State."

Mr. Pratt moved that the bill, with instructions, be referred to Committee on Printing.

Mr. Close moved the previous question, which was seconded.

The question recurring, "Shall the main question be now put?" the question prevailed.

The amendment to the Committee amendment was adopted.

Mr. Duncombe moved to reconsider the vote by which the House ordered the main question to be now put.

The motion did not prevail.

The amendment recommended by the Committee was adopted.

The question being on ordering the bill engrossed and to be read a third time, the question prevailed.

Mr. Campbell moved that the rule be suspended, the bill considered engrossed, and read a third time now.



The motion prevailed.

The bill was read a third time.

On the question, " Shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Ainsworth, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Bergh, Blakely, Butler, Cadwell, Caldwell, Campbell, Carver, Clark, of Benton; Close, Crawford; Danforth, Davis, Day, Dayton, Draper, Duncan, Durham, Ellsworth, Evans, Flenniken, Freeman, Gear, Goodspeed, Hall, Hanson, Hilton, Hopkirk, Hovey, Irish, Johnston, Kasson, Keables, Leahy, Lee, McAllister, McCoy, Miller, Newbold, Rice, Sandry, Schweer, Skillin, Stedman, Teale, Van Meter, Van Saun, Whitten, Wilson, of Washington; Wood, of Story; Wright, of Mills; Wright, of Van Buren—Total, 55.

The nays were—

Messrs. Appleton, Beresheim, Blackman, Blake, Bliss, Bonewitz, Cardell, Clarke, of Iowa; Davisson, Dumont, Duncombe, Ericson, Green, Heberling, Hewett, Litzenberg, McClure, Merrell, O'Donnell, Peet, Pratt, Reed, Rohlf, Rule, Secor, Stewart, Stow, Struthers, Tasker, Tufts, Tuttle, Van Deventer, Williams, Wilson, of Keokuk; Wood, of Clay; and Mr. Speaker—Total, 36.

Absent or excused—

Messrs. Booth, Christoph, Hanan, Maxwell, Mills, Morrison, Paul, Perkins, and Reuther—Total, 9.

So the bill passed and the title was agreed to.

Mr. Close moved to reconsider the vote by which the House passed substitute for H. F. No. 49.

Mr. Cadwell moved to lay the motion on the table.

Mr. O'Donnell and Mr. Green demanded the yeas and nays, which were as follows :

The yeas were :—

Messrs. Ainsworth, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blakely, Butler, Cadwell, Caldwell, Campbell, Carver, Clark, of Benton; Close, Crawford, Danforth, Davis, Day, Dayton, Draper, Duncan, Durham, Ellsworth, Evans, Flenniken, Gear, Goodspeed, Hall, Hanson, Hilton, Hopkirk, Hovey, Johnston, Kasson, Keables, Leahy, Lee, McAllister, McCoy, Miller, Newbold, Rice, Sandry, Skillin, Stedman, Teale, Van Meter, Whitten, Wood, of Story; Wright, of Mills; and Wright, of Van Buren—Total, 49.

The nays were :—

Messrs. Appleton, Beresheim, Blackman, Blake, Bliss, Bonewitz, Cardell, Clarke, of Iowa; Davisson, Dumont, Duncombe, Ericson, Freeman, Green, Heberling, Hewett, Irish, Litzenberg, McClure, Merrell, O'Donnell, Peet, Pratt, Reed, Rohlf, Rule, Schweer, Secor, Stewart, Stow, Struthers, Tasker, Tufts, Tuttle, Van Deventer, Williams, Wilson, of Keokuk; Wood, of Clay; and Mr. Speaker—Total, 39.

Absent or excused :—

Messrs. Ballinger, Booth, Christoph, Hanan, Maxwell, Mills, Morrison, Paul, Perkins, Renthner, Van Saun, and Wilson, of Washington—Total, 12.

So the motion to lay on the table prevailed.

Leave of absence was granted to Mr. Teale and Mr. Ellsworth.

Mr. Irish offered the following resolution :

*Resolved*, That this House will adjourn from 12 M., on Saturday, March 2, to 10 A. M. on Tuesday, March 5.

On its adoption, Mr. Leahy demanded the yeas and nays. Lost.

Mr. Green moved a call of the House, which was ordered.

The Clerk proceeded to call the roll.

Mr. Miller moved the House adjourn.

Motion prevailed, and the House adjourned.

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TWO O'CLOCK P. M.

House called to order by the Speaker.

The question recurring on the adoption of the resolution offered by Mr. Irish, Mr. Newbold moved a call of the House, which was ordered.

Leave of absence was granted to Messrs. Merrell and Van Deventer.

The Clerk proceeded to call the roll, and the following members were found to be absent :

Messrs. Appleton, Beatty, of Cedar ; Beresheim, Bergh, Blackman, Cadwell, Caldwell, Cardell, Clark, of Benton ; Clarke, of Iowa ; Crawford, Danforth, Davis, Davisson, Dumont, Ericson, Flenniken, Green, Heberling, Hewett, Hilton, Hopkirk, Irish, Johnston, Kasson, Lee, McAllister, McCoy, Miller, O'Donnell, Peet, Perkins, Rice, Rohlf, Schweer, Skillen, Stedman, Stewart, Tuttle, Wood, of Clay ; Wright, of Mills, and Wright, of Van Buren—Total, 42.

Mr. Keables moved that further proceedings under the call be dispensed with.

The motion did not prevail.

Mr. Durham moved the House adjourn.

The motion did not prevail.

The Sergeant-at-Arms brought to the bar of the House Messrs. Stedman, Danforth, Cadwell, and Wright, of Mills.

On motion of Mr. Ainsworth they were excused.

Mr. Newbold moved that further proceedings under the call be dispensed with.

The motion did not prevail.

The Sergeant-at-Arms brought before the bar of the House

Messrs. Kasson, Miller, Appleton, Duncan, Johnston, McAllister, Blackman, Rule, and Wood, of Clay, who were excused.

Mr. Butler moved that further proceedings under the call be dispensed with.

The motion did not prevail.

Mr. Ainsworth moved that the House adjourn.

The motion did not prevail.

Mr. Newbold moved that further proceedings under the call be dispensed with.

The motion prevailed.

The question recurring on the adoption of the resolution offered by Mr. Irish, Mr. Kasson demanded the yeas and nays, which were as follows :

The yeas were :—

Messrs. Beatty, of Jasper; Pratt, Reed, Rule, and Wood, of Story—Total, 5.

The nays were :—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Bergh, Blackman, Blake, Blakely, Bliss, Bonewitz, Butler, Cadwell, Carver, Clark, of Benton; Danforth, Day, Dayton, Duncan, Durham, Ellsworth, Evans, Freeman, Goodspeed, Hanson, Hewett, Hovey, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, McAllister, McClure, McCoy, Miller, Newbold, Rice, Sandry, Secor, Skillin, Stedman, Stow, Struthers, Tasker, Tufts, Tuttle, Van Meter, Whitten, Williams, Wilson, of Keokuk; Wood, of Clay; Wright, of Mills; Wright, of Van Buren, and Mr. Speaker—Total, 55.

Absent or excused :—

Messrs. Beresheim, Booth, Caldwell, Campbell, Cardell, Christoph, Clarke, of Iowa; Close, Crawford, Davis, Davisson, Draper, Dumont, Duncombe, Ericson, Flenniken, Gear, Green, Hall, Hanan, Heberling, Hilton, Hovey, Irish, Maxwell, Merrell, Mills, Morrison, O'Donnel, Paul, Peet, Perkins, Reuther, Rohlf, Schweer, Stewart, Teale, Van Deventer, Van Saun, and Wilson, of Washington—Total, 40.

So the resolution was not adopted.

#### PETITIONS.

Mr. Newbold presented the petition of I. P. Teter, and 500 others, citizens of Henry county, asking for a more stringent liquor law, which was referred to Committee on Suppression of Intemperance.

Also, a petition from citizens of Henry county favoring a reform school for girls, which was referred to Committee on Reform School.

Also, a petition from citizens of Henry county in regard to

Indian tribes, which was referred to Committee on Federal Relations.

The Speaker presented a petition from citizens of Tama county, praying for the enactment of a law regulating freights on railroads.

Referred to Committee on Railroads.

The Speaker also presented a petition from citizens of Tama county, asking for a modification of the stay laws, and usury laws.

Referred to Committee on Ways and Means.

The Speaker also presented a petition from citizens of Tama county, in regard to the removal of certain tribes of Indians.

Referred to Committee on Judiciary.

Mr. Tufts presented a petition from citizens of Cedar county, asking for the enactment of a law similar to that of the Ohio liquor law.

Referred to the Committee on the Suppression of Intemperance.

Mr. Tuttle presented a petition from citizens of Polk county, asking for a law regulating freights on railroads.

Referred to Committee on Railroads.

Mr. Whitten presented a petition from the practicing physicians of Winterset, remonstrating against any appropriation being made in aid of the Medical Department of the Iowa State University.

Referred to Committee on Medical Institutions.

Mr. Reed presented a petition from citizens of Jackson county remonstrating against the passage of a more stringent liquor law.

Referred to the Committee on the Suppression of Intemperance.

Mr. Keables presented a petition from citizens of Marion county, remonstrating against the repeal of the wine and beer clause in the liquor law.

Referred to the Committee on the Suppression of Intemperance.

M. Ballinger presented a communication from Professor Otto A. Hartwig, of Des Moines, on the subject of illuminating fluids.

Referred to Committee on Police Regulations.

Mr. Johnson presented a petition from citizens of Ringgold county, praying for a law regulating freight tariffs on railroads.

Referred to Committee on Railroads.

#### BILLS ON SECOND READING.

By leave, Mr. Pratt called up S. F. No. 131, A bill for an act regulating appeals to the Supreme Court of the State of Iowa.

The bill was taken up and considered.

The recommendations made by the committee were concurred in

Leave of absence was granted Mr. Peet.

Mr. Pratt moved that the rule be suspended, the bill be considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Bergh, Blackman, Blake, Blakely, Bliss, Bonewitz, Butler, Cadwell, Caldwell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Crawford, Danforth, Day, Dayton, Draper, Duncombe, Durham, Ellsworth, Evans, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Hewitt, Hilton, Hopkirk, Hovey, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, McAllister, McClure, McCoy, Miller, Newbold, O'Donnell, Pratt, Reed, Rice, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Teale, Tufts, Tuttle, Van Meter, Whitten, Williams, Wilson, of Keokuk; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and, Mr. Speaker.—Total, 73.

The nays were none.

Absent or excused—

Messrs. Beresheim, Booth, Campbell, Christoph, Close, Davis, Davisson, Dumont, Duncan, Ericson, Flenniken, Hanan, Heberling, Irish, Maxwell, Merrell, Mills, Morrison, Paul, Peet, Perkins, Renthner, Rhols, Tasker, Van Deventer, Van Sann, and Wilson, of Washington—  
Total, 27.

So the bill passed and the title was agreed to.

#### COMMITTEE OF THE WHOLE.

The hour arrived for the House to go into Committee of the Whole.

Mr. Leahy moved that the House resolve itself into Committee of the Whole on the consideration of the report of the Code Commissioners.

The motion prevailed.

The Speaker called Mr. Kasson to the chair.

The committee arose, reported progress, and asked leave to sit again.

Mr. Tuttle asked leave to call up H. F. No. 97, a bill for an act to protect feeders of stock.

Leave was granted.

The bill was taken up and considered.

Leave of absence was granted to Messrs. Bergh, Ericson, Hilton, Clark, of Benton; Williams, and Stedman.

The substitute which was recommended by the committee was adopted.

The bill was then ordered engrossed and to be read a third time.

#### RESOLUTIONS.

Leave was granted Mr. Hall to offer the following resolution :

*Resolved by the House of Representatives, the Senate concurring,* That Prof. James Hall, former State Geologist of this State, hereby has permission to institute a suit against the State

of Iowa, in the Federal Circuit Court, or some of the District Courts of this State, to recover a debt which he claims to hold against the State, for services rendered and expenses incurred in the prosecution of the Geological Survey, and that upon a final hearing, if any sum is recovered by him, the Auditor of State is hereby authorized and directed to issue his warrant for the same, against any money in the treasury, not otherwise appropriated.

Mr. Freeman moved that the resolution be passed on file, and the consideration of the same postponed for one day.

The motion did not prevail.

The resolution was not adopted.

#### INTRODUCTION OF BILLS.

Leave was granted to Mr. Caldwell to introduce H. F. No. 281, A bill for an act to regulate the assessments on pork packers and commission merchants, and to amend section 723 of the Revision of 1860.

Read a first and second time, and referred to Committee on Ways and Means.

Leave was granted to Mr. Wood, of Story, to introduce H. F. No. 282, A bill for an act making appropriations for the Agricultural College and Farm.

Read a first and second time.

Referred to Committee on Agricultural Farm, and ordered printed.

Leave of absence was granted to Messrs. Stow and Skillen.

By leave, Mr. Tuttle called up H. F. No. 97, A bill for an act to protect feeders of stock.

Mr. Tuttle moved that the rule be suspended, that the bill be considered, engrossed and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were--

Messrs. Ainsworth, Beatty of Jasper; Bergh, Blake,



Blakely, Bliss, Bonewitz, Cadwell, Caldwell, Cardell, Carver, Clarke, of Iowa; Crawford, Danforth, Davis, Day, Dayton, Draper, Duncan, Duncombe, Durham, Ellsworth, Evans, Freeman, Gear, Green, Hall, Hanson, Hilton, Hovey, Irish, Johnston, Kasson, Leahy, Lee, Litzenberg, Maxwell, McAllister, Miller, Newbold, O'Donnell, Pratt, Reed, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Struthers, Tasker, Tuttle, Van Meter, Williams, Wilson, of Keokuk; Wood, of Clay; Wood, of Story; Wright, of Van Buren; and Mr. Speaker—Total, 59.

The nays were—

Messrs. Appleton, Blackman, Goodspeed, Hopkirk, Keables, McClure, McCoy, Steadman, Stewart, Tufts and Whitten—Total, 11.

Absent or excused---

Messrs. Ballinger, Beatty, of Cedar; Booth, Butler, Campbell, Christoph, Clark, of Benton; Close, Davisson, Dumont, Ericson, Flenniken, Hanan, Heberling, Hewett, Merrell, Mills, Morrison, Paul, Peet, Perkins, Reuther, Skillin, Stow, Teale, Van Deventer, Van Saun, Wilson, of Washington, and Wright of Mills—Total, 29.

So the bill passed and the title was agreed to.

#### MEMORIAL TO CONGRESS IN REFERENCE TO HOMESTEAD

##### SETTLERS.

Leave was granted Mr. Davis to offer the following memorial and joint resolution which was referred to Committee on Federal Relations.

Memorial and Joint Resolution to Congress relative to homestead settlers on lands claimed by railroads in Iowa:

WHEREAS, On the second day of June, A. D. 1864, Congress passed an additional land grant, supplemental to the grant approved May 15th, A. D. 1856, thereby granting to the Burlington & Missouri River, the Mississippi & Missouri, and Cedar Rapids & Missouri River Railroads, a large amount of the public domain in Iowa, which prior thereto had been subject to pre-emption and homestead settlement, or private entry; and,

WHEREAS, On the 25th of August, A. D. 1864, the Commissioner of the General Land Office expressly decided that the lands covered by said supplemental grant did not inure to the several railroads so as to prevent homestead settlement thereon, and held that said lands were still subject to homestead and pre-emption settlement, and expressly directed the Registers and Receivers of the local land offices in Iowa to permit homestead settlement and pre-emption entries thereon ; and,

WHEREAS, Under such ruling and instructions a great many homestead settlers settled in different parts of this State upon such lands, which were within the limits of said supplemental grant, paid their fees, proved their settlements, and received from the United States Land Office certificates of homestead entry, and after having lived on their homesteads for five years, and improved the same, on applying to the land offices to prove their *bona fide* occupancy, and secure their patents, were for the first time informed that by subsequent rulings of the Department of the Interior that their claims for homesteads were disallowed and cancelled ; thus leaving many poor settlers and their families destitute of homes ; now, therefore,

*Be it resolved by the General Assembly of the State of Iowa,* That our Senators in Congress be instructed, and our Representatives requested, to use all possible efforts to secure the passage of a law or resolution, or other measure granting to the several railroads, other lands as indemnity, and in lieu of the lands so settled upon as homesteads, and procuring a lease from the railroads of their claims to the homesteads and pre-emption settlers of the lands upon which they have so settled ; or to extend to such settlers such other relief as may come within the scope of the powers of the General Government.

Mr. Gear moved to reconsider the vote by which the House passed H. F. No. 97, A bill for an act to protect feeders of stock, the consideration of which motion was postponed.

By leave Mr. Gear introduced H. F. No. 283, A bill for an act providing for the completion of the geological survey of the State.

Read first and second time, and referred to Committee on Ways and Means.

Mr. Ainsworth moved to reconsider the vote by which the House refused to adjourn from to-morrow noon until Tuesday next at ten o'clock A. M.

The motion prevailed.

On the question of the adoption of the resolution, Mr. Leahy demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Ainsworth, Beatty of Jasper; Blake, Caldwell, Cardell, Clarke, of Iowa; Dayton, Draper, Duncombe, Durham, Ellsworth, Evans, Freeman, Gear, Green, Hall, Hewett, Hilton, Irish, Keables, Litzenberg, Maxwell, McClure, O'Donnell, Pratt, Reed, Rohlf, Rule, Sandry, Schweer, Stedman, Tufts, Tuttle, Williams, Wilson, of Keokuk; Wood, of Clay; Wood, of Story; Wright, of Van Buren, and Mr. Speaker—Total, 39.

The nays were—

Messrs. Appleton, Bergh, Blackman, Blakely, Bliss, Bonewitz, Cadwell, Carver, Crawford, Danforth, Davis, Day, Duncan, Goodspeed, Hanson, Hovey, Johnston, Leahy, Lee, McAllister, McCoy, Miller, Newbold, Rice, Secor, Stewart, Struthers, Tasker, Van Meter, and Whitten—Total, 30.

Absent or excused—

Messrs. Ballinger, Beatty, of Cedar; Beresheim, Booth, Butler, Campbell, Christoph, Clark, of Benton; Close, Davisson, Dumont, Ericson, Flenniken, Hanan, Heberling, Hopkirk, Kasson, Merrell, Mills, Morrison, Paul, Peet, Perkins, Reuther, Skillin, Stow, Teale, Van Deventer, Van Sann, Wilson, of Washington; Wright, of Mills—Total, 31.

So the resolution was adopted.

#### INTRODUCTION OF BILLS.

Leave was granted Mr. Hilton to introduce H. F. No. 284, A bill for an act providing that any order or judgment of any township or county board, or other inferior tribunal, shall be deemed invalid, illegal, or void on account of irregularity in reviewing or considering testimony.

Read a first and second time, and referred to Committee on Judiciary.

Leave was granted to Mr. Clarke, of Iowa, to introduce H. F. No. 285, A bill for an act amendatory of chapter 102, of the acts of the Ninth General Assembly, entitled "An act to provide for the taking up of estray animals."

Read a first and second time, and referred to committee on Judiciary.

Leave was granted to Mr. Clarke, of Iowa, to introduce H. F. No. 286, A bill for an act amendatory of chapter 25, of the acts of the Ninth General Assembly, entitled "An act to provide for the recording of the bonds of county officers.

Read a first and second time, and referred to Committee on Ways and Means.

Leave was granted Mr. Tasker to introduce H. F. No. 287, A bill for an act to permanently locate and provide for the erection and control of an additional penitentiary.

Read a first and second time and referred to Committee on Public Buildings.

#### REPORT OF COMMITTEE.

By leave Mr. Caldwell, from Committee on Railroads submitted the following report :

MR. SPEAKER:—Your Committee on Railroads, to whom was referred H. F. No. 107, A bill for an act to enable townships, incorporated towns, and cities, which have heretofore or which may hereafter vote a tax to aid in the construction of a railroad, under the provision of chapter 102, laws of the Thirteenth General Assembly, to transfer and use such tax in aid of the construction of such other railroads as the inhabitants of the township, city, or town voting the same may desire, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation to amend the bill by striking out the word "raise" wherever it occurs, and insert in lieu thereof the word "vote."

Also, Strike out at the end of section two "in favor of the road or company to which it is proposed to transfer the same."

And as so amended, recommend its passage.

CALDWELL, *Chairman.*

On motion of Mr. Wood, of Clay, the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, March 2, 1872. }

The House convened pursuant to adjournment.

The Speaker in the chair.

Prayer by Rev. L. M. Walters.

Journal of yesterday read and approved.

Leave of absence was granted to Messrs. Reed, Freeman, Rule, Caldwell, Clarke, of Iowa; Durham, Draper, Bonewitz and Day.

Mr. Kasson moved that the usual order of business be dispensed with except as to bills of a local character and reports of committees.

The motion prevailed.

#### REPORT OF COMMITTEE.

Mr. Pratt, from Judiciary Committee, submitted following report:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 242, A bill for an act to legalize the acts of J. L. Cobb, while acting as justice of the peace in Kane township, in Benton county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to

report the same back to the House with the recommendation that it do pass.

H. O. PRATT, *for the Committee.*

BILLS ON SECOND READING.

H. F. No. 242, A bill for an act to legalize the acts of J. L. Cobb, while acting as justice of the peace in Kane township, in Benton county, was taken up and considered.

Mr. Pratt moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Bergh, Blackman, Blake, Blakely, Bliss, Butler, Cadwell, Cardell, Carver, Crawford, Danforth, Davis, Dayton, Dumont, Duncan, Duncombe, Evans, Flenniken, Goodspeed, Hall, Hanson, Hewett, Hopkirk, Hovey, Irish, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, McAllister, McClure, McCoy, Miller, Newbold, O'Donnell, Peet, Pratt, Rice, Sandry, Schweer, Secor, Stewart, Stow, Struthers, Tasker, Tufts, Tuttle, Van Meter, Whitten, Williams, Wood, of Clay; Wood, of Story; Wright, of Van Buren, and Mr. Speaker—Total, 61.

The nays were none.

Absent or excused—

Messrs. Beresheim, Bonewitz, Booth, Caldwell, Campbell, Christoph, Close, Clark, of Benton; Clarke, of Iowa; Davisson, Day, Draper, Durham, Ellsworth, Ericson, Freeman, Gear, Green, Hanan, Heberling, Hilton, Maxwell, Merrell, Mills, Morrison, Paul, Perkins, Reed, Reuther, Rohlf, Rule, Skillin, Stedman, Teale, Van Deventer, Van Saun, Wilson, of Keokuk; Wilson, of Washington; and Wright, of Mills—Total, 89.

So the bill passed and the title was agreed to.

Mr. Danforth called up S. F. No. 101, A bill for an act to legalize the acts of the independent school district of Ossian, in Military township, in Winneshiek county, Iowa, in making an over issue of bonds for school house purposes.

The bill was taken up and considered.

Mr. Danforth moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Bergh, Blackman, Blake, Blakely, Blies, Butler, Cadwell, Cardell, Carver, Crawford, Danforth, Davis, Dayton, Dumont, Duncan, Duncombe, Evans, Flennikin, Goodspeed, Hall, Hanson, Hewitt, Hopkirk, Hovey, Irish, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, McAllister, McClure, McCoy, Miller, Newbold, O'Donnell, Peet, Pratt, Rice, Sandry, Schweer, Secor, Stewart, Stow, Struthers, Tasker, Tufts, Tuttle, Van Meter, Whitten, Williams, Wood, of Clay; Wood, of Story; Wright, of Van Buren, and Mr. Speaker—Total, 61.

The nays were none.

Absent or excused—

Messrs. Beresheim, Bonewitz, Booth, Caldwell, Campbell, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Davisson, Day, Draper, Durham, Ellsworth, Ericson, Freeman, Gear, Green, Hanan, Heberling, Hilton, Maxwell, Merrell, Mills, Morrison, Paul, Perkins, Reed, Reuther, Rohlf, Rule, Skillin, Stedman, Teal, Van Deventer, Van Sann, Wilson, of Keokuk; Wilson, of Washington, and Wright, of Mills—Total, 39.

So the bill passed and the title was agreed to.

#### REPORT OF COMMITTEE.

Mr. Newbold from the Committee on Schools, submitted the following report:



MR. SPEAKER—Your Committee on Schools to whom was referred H. F. No. 212, A bill for an act to legalize the organization of the independent school district No. 1, Bloomfield township, etc., beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

J. G. NEWBOLD, *Chairman.*

BILLS ON SECOND READING.

Mr. Kasson moved to take up H. F. No. 212, A bill for an act to legalize the formation of independent school district No. 1 in Bloomfield township, etc.

The motion prevailed.

The bill was taken up and considered.

Mr. Kasson moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Bergh, Blackman, Blake, Blakely, Bliss, Butler, Cadwell, Cardell, Carver, Crawford, Danforth, Davis, Dayton, Dumont, Duncan, Duncombe, Evans, Flenniken, Goodspeed, Hall, Hanson, Hewitt, Hopkirk, Hovey, Irish, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, McAllister, McClure, McCoy, Miller, Newbold, O'Donnell, Peet, Pratt, Rice, Sandry, Schweer, Secor, Stewart, Stow, Struthers, Tasker, Tufts, Tuttle, Van Meter, Whitten, Williams, Wood, of Clay; Wood, of Story; Wright, of Van Buren, and Mr. Speaker—Total, 61.

The nays were none.

Absent or excused—

Messrs. Beresheim, Bonewitz, Booth, Caldwell, Campbell, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Davisson, Day, Draper, Durham, Ellsworth, Ericson, Freeman, Gear, Green, Hanan, Heberling, Hilton, Maxwell, Merrell, Mills,

Morrison, Paul, Perkins, Reed, Reuthers, Rohlf, Rule, Skillin, Stedman, Teale, Van Deventer, Van Sauu, Wilson, of Keokuk; Wilson, of Washington; and Wright, of Mills—Total, 39.

So the bill passed and the title was agreed to.

#### REPORT OF COMMITTEE.

Mr. Newbold, from the Committee on Schools, submitted the following report :

MR. SPEAKER :—Your Committee on Schools, to whom was referred H. F. No. 213, A bill for an act to legalize the organization of the independent school district of Elm Grove, Bloomfield township, Polk county, and Greenfield township, Warren county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

J. G. NEWBOLD, *Chairman.*

#### BILLS ON SECOND READING.

Mr. Kasson moved to take up H. F. No. 213, A bill for an act to legalize the organization of the independent school district of Elm Grove, Bloomfield township, Polk county, and Greenfield township, Warren county, Iowa.

The motion prevailed.

The bill was taken up and considered.

Mr. Kasson moved that the rule be suspended, the bill be considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, " Shall the bill pass ? " the yeas and nays were as follows :

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar ; Beatty, of Jasper ; Bergh, Blackman, Blake, Blakely, Bliss, Butler, Cadwell, Cardell, Carver, Crawford, Danforth, Davis, Dayton, Duncan, Duncombe, Evans, Flenniken, Goodspeed,

Hall, Hanson, Hewett, Hopkirk, Hovey, Irish, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, McAllister, McOlure, McCoy, Miller, Newbold, O'Donnell, Peet, Pratt, Rice, Sandry, Schweer, Secor, Stewart, Stow, Struthers, Tasker, Tufts, Tuttle, Van Meter, Whitten, Williams, Wood, of Clay; Wood, of Story; Wright, of Van Buren, and Mr. Speaker—Total, 61.

The nays were none.

Absent or excused:—

Messrs. Beresheim, Bonewitz, Booth, Caldwell, Campbell, Christoph, Clark, of Benton, Clarke, of Iowa; Close, Davisson, Day, Draper, Dumont, Durham, Ellsworth, Ericson, Freeman, Gear, Green, Hanan, Heberling, Hilton, Maxwell, Merrell, Mills, Morrison, Paul, Perkins, Reed, Reuther, Rohlf, Rule, Skillin, Stedman, Teale, Van Deventer, Van Saun, Wilson, of Keokuk; Wilson, of Washington; and Wright, of Mills—Total, 39.

So the bill passed and the title was agreed to.

#### REPORT OF COMMITTEE.

Mr. Newbold, from the Committee on Schools, submitted the following report:

MR. SPEAKER:—Your Committee on Schools, to whom was referred H. F. No. 267, A bill for an act to legalize the acts of the board of directors of the district township of Delaware, Polk county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

J. G. NEWBOLD, *Chairman.*

#### BILLS ON SECOND READING.

Mr. Kasson moved to take up H. F. No. 267, A bill for an act to legalize the acts of the district township of Delaware, Polk county.

The motion prevailed.

The bill was taken up and considered.

Mr. Kasson moved that the rule be suspended, the bill be considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time..

On the question, "Shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Bergh, Blackman, Blake, Blakely, Bliss, Butler, Cadwell, Cardell, Carver, Close, Crawford, Dauforth, Davis, Dayton, Dumont, Duncan, Duncombe, Evans, Flenniken, Goodspeed, Hall, Hanson, Hewett, Hopkirk, Hovey, Irish, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, McAllister, McClure, McCoy, Miller, Newbold, O'Donnell, Peet, Pratt, Rice, Sandry, Schweer, Secor, Stewart, Stow, Struthers, Tasker, Tufts, Tuttle, Van Meter, Whitten, Williams, Wood, of Clay; Wood, of Story; Wright, of Van Buren, and Mr. Speaker—  
Total, 61.

The nays were none.

Absent or excused—

Messrs. Beresheim, Bonewitz, Booth, Caldwell, Campbell, Christoph, Clark, of Benton; Clarke, of Iowa; Davisson, Day, Draper, Durham, Ellsworth, Ericson, Freeman, Gear, Green, Hanan, Heberling, Hilton, Maxwell, Merrell, Mills, Morrison, Paul, Perkins, Reed, Reuther, Rohlfis, Rule, Skillin, Stedman, Teale, Van Deventer, Van Saun, Wilson, of Keokuk; Wilson, of Washington; and Wright, of Mills—  
Total 39.

So the bill passed and the title was agreed to.

#### REPORT OF COMMITTEE.

Mr. Newbold, from committee on Schools, submitted the following report :

MR. SPEAKER :—Your Committee on Schools, to whom was referred H. F. No. 100, A bill for an act to legalize the doings of the board of Supervisors of Lucas county, Iowa, in selling school lands in 1866, and authorizing the issuing of patents for the same, beg leave to report thrt they have had the same under consideration, and have instructed me to

report the same back to the House with the recommendation that it do not pass.

J. G. NEWBOLD, *Chairman.*

BILLS ON SECOND READING.

Mr. McCoy moved to take up H. F. No. 100, A bill for an act to legalize the doings of the board of supervisors of Lucas county, in selling school lands in 1866, and authorizing the issuing of patents for the same.

The motion prevailed.

The bill was considered.

Mr. McCoy moved to substitute a new bill, which, with the original bill was referred to Judiciary Committee.

REPORT OF COMMITTEE.

Mr. Newbold, from Committee on Schools, submitted the following report:

MR. SPEAKER :—Your Committee on Schools, to whom was referred H. F. No. 249, A bill for an act to legalize the acts of the independent school district of Mason City, Cerro Gordo county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

J. G. NEWBOLD, *Chairman.*

BILLS ON SECOND READING.

Mr. Secor moved to take up H. F. No. 249, A bill for an act to legalize the acts of the independent school district of Mason City, Iowa.

The motion prevailed.

The bill was taken up and considered.

Mr. Secor moved to suspend the rule, that the bill be considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Bergh, Blackman, Blake, Blakely, Bliss, Butler, Cadwell, Cardell, Carver, Crawford, Dunforth, Davis, Dayton, Dumont, Duncan, Duncombe, Evans, Flenniken, Goodspeed, Hall, Hanson, Hewett, Hopkirk, Hovey, Irish, Johnston, Kasson, Lee, Litzenberg, McAllister, McClure, McCoy, Miller, Newbold, O'Donnell, Peet, Pratt, Rice, Sandry, Schweer, Secor, Stewart, Stow, Struthers, Tasker, Tufts, Tuttle, Van Meter, Whitten, Williams, Wood, of Clay; Wood, of Story; Wright, of Van Buren, and Mr. Speaker—Total, 59.

The nays were none.

Absent or excused—

Messrs. Beresheim, Bonewitz, Booth, Caldwell Campbell, Christoph, Clark, of Benton; Clarke, of Iowa, Close, Davisson, Day, Draper, Durham, Ellsworth, Ericson, Freeman, Gear, Green, Hanan, Heberling, Hilton, Keables, Leahy, Maxwell, Merrell, Mills, Morrison, Paul, Perkins, Reed, Reuther, Rohlf, Rule, Skillin, Stedman, Teale, Van Deventer, Van Saun, Wilson, of Keokuk; Wilson, of Washington, and Wright, of Mills—Total, 41.

So the bill passed and the title was agreed to.

Mr. Butler moved to call up the motion to reconsider the vote by which H. F. No. 97, A bill for an act to protect feeders of stock, was passed.

The motion prevailed.

Mr. Butler moved to lay the motion to reconsider on the table.

The motion did not prevail.

Mr. Pratt moved to make the bill a special order for Wednesday, March 6th, at 10:30 A. M.

The motion prevailed.

## INTRODUCTION OF BILLS.

Leave was granted to Mr. O'Donnell to introduce H. F. No. 288, A bill for an act to provide for the paying of the claim of D. E. Lyon, for foreclosing a certain school fund mortgage in behalf of the State.

Read a first and second time, and referred to Committee on Claims.

## BILLS ON SECOND READING.

Mr. McAllister moved to take up H. F. No. 225, A bill for an act to legalize the acts of the board of trustees, mayor and recorder of the town of Sharon, Iowa.

The motion prevailed.

The bill was taken up and considered.

Mr. McAllister moved that the rule be suspended, the bill be considered engrossed, and read a third time now.

The motion prevailed.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Bergh, Blackman, Blake, Blakely, Bliss, Butler, Cadwell, Cardell, Carver, Crawford, Danforth, Davis, Dayton, Dumont, Duncan, Duncombe, Evans, Flenniken, Goodspeed, Hall, Hanson, Hewett, Hopkirk, Hovey, Irish, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, McAllister, McClure, McCoy, Miller, Newbold, O'Donnell, Peet, Pratt, Rice, Sandry, Schweer, Secor, Stewart, Stow, Struthers, Tasker, Tufts, Tuttle, Van Meter, Whitten, Williams, Wood, of Clay; Wood, of Story; and Mr. Speaker—Total, 60.

The nays were none.

Absent or excused—

Messrs. Beresheim, Bonewitz, Booth, Caldwell, Campbell, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Davisson, Day, Draper, Durham, Ellsworth, Ericson, Freeman, Gear, Green, Hanan, Heberling, Hilton, Maxwell, Merrell, Mills,



Morrison, Paul, Perkins, Reed, Reuther, Rohlf, Rule, Skillen, Stedman, Van Deventer, Van Saun, Wilson, of Keokuk; Wilson, of Washington; Wright, of Mills; and Wright, of Van Buren—Total, 40.

So the bill passed, and the title was agreed to.

#### INTRODUCTION OF BILLS.

Leave was granted Mr. Duncombe to introduce H. F. No. 289, A bill for an act to provide for the publication of such laws as the Census Board may direct, in newspapers, and prohibiting the publication at public expense of the new code, and certain local laws.

Read a first and second time, and passed on file, and ordered printed.

Mr. Hall called up H. F. No. 169, A bill for an act to amend chapter 98 of the acts of the Twelfth General Assembly, in relation to indebtedness of school districts, which was referred to Committee on Schools.

#### MESSAGES ON SPEAKER'S TABLE.

By leave, Mr. Blake called up S. F. No. 68, A bill for an act to legalize the acts of Wm. H. Price, as auditor of Carroll county, in taking and certifying acknowledgments of certain school fund mortgages and other conveyances of real estate.

The publication clause was amended so as to read without expense to the State.

The bill was read a first and second time.

Mr. Blake moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Bergh, Blackman, Blake, Blakely, Bliss, Butler, Cad-

well, Cardell, Carver, Crawford, Danforth, Davis, Dayton, Dumont, Duncan, Dancombe, Evans, Flenniken, Goodspeed, Hall, Hanson, Hewett, Hovey, Irish, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, McAllister, McClure, McCoy, Miller, Newbold, O'Donnell, Peet, Pratt, Rice, Sandry, Schweer, Secor, Stewart, Struthers, Tasker, Tufts, Tuttle, Van Meter, Whitten, Williams, Wood, of Olay; Wright, of Van Buren; and Mr Speaker—Total, 57.

The nays were—

Messrs. Ainsworth, Hopkirk, and Stow—Total, 3.

Absent or excused—

Messrs. Beresheim, Bonewitz, Booth, Caldwell, Campbell, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Davisson, Day, Draper, Durham, Ellsworth, Ericson, Freeman, Gear, Green, Hanan, Heberling, Hilton, Maxwell, Merrell, Mills, Morrison, Paul, Perkins, Reed, Reuther, Rohlf, Rule, Skillin, Stedman, Teal, Van Deventer, Van Saun, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story; and Wright, of Mills—Total, 40.

So the bill passed and the title was agreed to.

#### PETITIONS AND MEMORIALS.

By leave, Mr. Irish presented a memorial from the American Woman Suffrage Association, pertaining to female suffrage, which was passed on file.

By leave, Mr. Peet presented a petition from citizens of Delaware county, asking increased facilities for the Agricultural Farm.

Referred to Committee on Agricultural Farm.

#### BILLS ON SECOND READING.

Mr. Cardell called up H. F. No. 118, A bill for an act to provide that the board of trustees of the town of Grinnell may have control of Hazelwood cemetery.

The bill was taken up and considered.

Mr. Cardell moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Bergh, Blackman, Blake, Blakely, Bliss, Butler, Cadwell, Cardell, Carver, Crawford, Danforth, Davis, Dayton, Dumont, Duncan, Duncombe, Evans, Fleniken, Goodspeed, Hall, Hansen, Hewett, Hopkirk, Hovey, Irish, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, McAllister, McClure, McCoy, Miller, Newbold, O'Donnell, Peet, Pratt, Rice, Sandry, Schweer, Secor, Stewart, Stow, Struthers, Tasker, Tufts, Tuttle, Van Meter, Whitten, Williams, Wood, of Clay; Wright, of Van Buren; and Mr. Speaker—Total, 61.

The nays were none.

Absent or excused—

Messrs. Beresheim, Bonewitz, Booth, Caldwell, Campbell, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Davison, Day, Durham, Ellsworth, Ericson, Freeman, Gear, Green, Hanan, Heberling, Hilton, Maxwell, Merrell, Mills, Morrison, Paul, Perkins, Reed, Reuther, Rohlf, Rule, Skillin, Stedman, Teale, Van Deventer, Van Saun, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story; and Wright, of Mills—Total, 39.

So the bill passed and the title was agreed to.

Mr. Irish moved to take up the joint resolution in regard to the one term principle for the Presidential office.

The motion did not prevail.

#### REPORTS OF COMMITTEES.

Mr. Newbold submitted the following report from committee on schools:

MR. SPEAKER:—Your Committee on Schools, to whom was referred H. F. No. 240, A bill for an act to amend chapter one hundred and seventy-two, laws of the Ninth General Assembly, beg leave to report that they have had the same under considera-

tion, and have instructed me to report the same back to the House with the recommendation that it do pass.

J. G. NEWBOLD, *Chairman.*

MR. SPEAKER :—Your Committee on Schools, to whom was referred H. F. No. 187, A bill for an act to repeal part of section 78, chapter 172, acts of the Ninth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

J. G. NEWBOLD, *Chairman.*

MR. SPEAKER :—Your Committee on Schools, to whom was referred H. F. No. 243, A bill for an act to amend section 1984 of the revision of 1860, in relation to the loan of permanent school fund, beg leave to report that that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

J. G. NEWBOLD, *Chairman.*

MR. SPEAKER :—Your Committee on Schools, to whom was referred H. F. No. 155, A bill for an act to amend sections 15 and 17, chapter 1st, of school laws of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

J. G. NEWBOLD, *Chairman.*

MR. SPEAKER :—Your Committee on Schools, to whom was referred H. F. No. 119, A bill for an act to provide for the more regular attendance of pupils of the public schools of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

J. G. NEWBOLD, *Chairman.*

## REPORT OF COMMITTEE.

Mr. Tufts, from Committee on Claims, submitted the following report:

MR. SPEAKER:—Your Committee on Claims, to whom was referred H. F. No. 84, A bill for an act for the relief of Marion county, for money stolen from the county safe, beg leave to report that they have had the same under consideration, and report that in their opinion the total amount claimed, \$6,674.86, was stolen from the safe, and that it was no fault of the county; but whether the State shall reimburse counties that have lost money belonging to the State, we leave to the consideration of the House.

TUFTS, *Chairman.*

## REPORT OF COMMITTEE.

M. Peet, from Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER:—Your Committee on Engrossed Bills, ask leave to report that they have examined the following bill, and find the same correctly engrossed:

H. F. No. 230, A bill for an act to legalize the incorporation of the independent school district of Stanwood, Cedar county, Iowa.

O. T. PEET, *Chairman.*

## INTRODUCTION OF BILLS.

By leave, Mr. Secor introduced H. F. No. 290, A bill for an act for the relief of Winnebago county, &c.

Read a first and second time, and referred to Committee on Claims.

By leave, Mr. Van Meter introduced H. F. No. 291, A bill for an act to repeal a part of section 1, chapter 23, acts of the Ninth General Assembly.

Read a first and second time, and referred to Committee on Elections.

By leave, Mr. Cadwell introduced H. F. No. 292, A bill for an act for the relief of Harrison county, &c.

Read a first and second time, and referred to Committee on Claims.

By leave, Mr. Williams introduced H. F. No. 293, A bill for an act to provide for the better security of the State penitentiary, and to regulate the government thereof, &c.

Read first and second time, and referred to Committee on Penitentiary.

Mr. Williams moved that the Speaker substitute a new member on the Committee on State Penitentiary in place of Mr. Morrison.

The motion prevailed.

By leave, Mr. Stow introduced H. F. No. 294, A bill for an act amending section 735, Revision of 1860, &c.

Read a first and second time, and referred to Committee on Ways and Means.

#### RESOLUTIONS.

By leave, Mr. Leahy offered the following resolution, which was adopted :

*Resolved*, That the Secretary of State is hereby directed to provide two foot scrapers to be placed on the platform in front of the Capitol, and three mats of proper size, one to be placed near the front door, one at the foot of the first flight of stairs, and one at the foot of the second flight.

Mr. Newbold, by leave, offered the following resolution, which was adopted :

*Resolved*, That Mr. Marshall Goodspeed, of Washington county, be added to the Committee on Schools.

Mr. Butler offered the following resolution :

*Be it Resolved*, That from and after Monday next all speeches in debate shall be limited to five minutes in length, unless by consent of this House, and that the Speaker be requested to enforce the rule of one speech upon the same subject from any member, unless by consent of a majority of members present.

Mr. Carver moved to strike out "five" and insert "ten."  
The resolution lies over under the rules.

#### BILLS INTRODUCED.

By leave, Mr. McCoy introduced H. F. No. 295, A bill for an act to amend section 6, chapter 169, of the acts of the Ninth General Assembly.

Read a first and second time, and referred to Committee on Railroads.

#### RESOLUTIONS.

By leave, Mr. Carver offered the following resolution, which was adopted :

*Resolved*, That the Committee on Schools be, and they are hereby instructed to inquire into the propriety of so amending the school laws of Iowa as to authorize the school boards to appropriate money from the contingent fund to buy the text-books for the use of their schools.

On motion of Mr. McClure, the House adjourned.



HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, March 5, 1872. }

House convened pursuant to adjournment.

The Speaker in the chair.

Prayer by Rev. J. A. Nash.

Journal of last day's proceedings read and approved.

The Speaker appointed Mr. Blackman on the Committee on State Penitentiary.

COMMUNICATION FROM SECRETARY OF STATE.

The Speaker presented the following communication from the Secretary of State, with accompanying documents, which were referred to Committee on Ways and Means, and ordered to be printed.

DES MOINES, March 5, 1872.

HON. JAMES WILSON, *Speaker of the House of Representatives:*

SIR: Pursuant to the provisions of "A joint resolution asking information in regard to the salaries paid the officers of all State institutions," approved February 21, 1872, I have the honor to state that on the 22d ult., I transmitted a certified copy of said joint resolution to the President of the State University, the President of the State Agricultural College, the Superintendent of the Institution for the Insane at Mt. Pleasant, the Superintendent of the Institution for the Deaf and Dumb, the Superintendent of the Institution for the Education of the Blind, the Warden of the Penitentiary, the Superintendent of the Reform School, and three copies to the President of the Soldier' Orphans' Home, requesting the officers of said

Institutions to forward to the office of the Secretary of State a statement in duplicate, giving the information called for by said joint resolution. Statements have been received from all of said Institutions, and I herewith transmit for the information of your honorable body one copy each of said statements, the other having been transmitted to the Senate.

I have the honor to be your obed't servant,

ED WRIGHT, *Secretary of State.*

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following bills, in which the concurrence of the House is asked :

S. F. No. 139, A bill for an act to legalize certain bonds issued by the board of directors of the independent school district of Nashua, Chickasaw county, Iowa.

Also, S. F. No. 140, A bill for an act to legalize the incorporation of the town of Newton, and the acts of the officers acting thereunder.

Also, Senate File No. 145, A bill for an act to legalize the organization of the independent school district of Homer, Iowa.

Also, S. F. No. 161, A bill for an act to furnish transportation to discharged convicts.

I am also directed to inform your honorable body that the Senate has passed the following bills without amendment:

H. F. No. 123, A bill for an prescribing the manner in which fees of jurymen and county expenses shall be paid in cases of change of venue.

H. F. No. 230, A bill for an act to legalize the incorpora-

tion of the independent school district of Stanwood, Cedar county.

J. A. T. HULL, *Secretary*.

**SPECIAL ORDER.**

The hour having arrived for the consideration of the special order, being the consideration of bills pertaining to taxes on railroads.

Mr. Caldwell moved that the special order be postponed until Friday, March 8th, at 11 o'clock, A. M.

Mr. Tufts moved to amend by inserting Wednesday, March 13th, at 11 o'clock, A. M.

The amendment did not prevail.

The motion prevailed.

**PETITIONS.**

Mr. Ballinger presented a petition from citizens of Wapello county, praying for the enactment of a judicious license liquor law, and remonstrating against the repeal of the wine and beer clause in the present law.

Referred to the Committee on the Suppression of Intemperance.

Mr. Leahy presented a petition from citizens of Franklin county, asking for the repeal of chapter 118, laws of 11th General Assembly.

Referred to Committee on Ways and Means.

Mr. Beatty presented a petition from citizens of Jasper county, in regard to the herd law.

Referred to Committee on Agriculture.

Mr. Van Saun presented a petition from citizens of Grundy county, in regard to a change in the school laws.

Referred to Committee on Schools.

Mr. Ellsworth presented a petition from citizens of Mahaska county, praying for a law prohibiting plowing in the public highways in certain cases.

Referred to Committee on Roads and Highways.

Mr. Pratt presented a petition from citizens of Floyd county, in regard to legalizing certain school districts in said county.

Referred to Committee on Judiciary.

Mr. Rohlf presented a remonstrance from citizens of Tama county, against the repeal of the wine and the beer clause in the present liquor law.

Referred to Committee on the Suppression of Intemperance.

Mr. Tufts presented a petition from citizens of Cedar county, praying for a more stringent liquor law.

Referred to Committee on the Suppression of Intemperance.

Mr. Merrell presented a petition from citizens of Clinton county, against a more stringent liquor law.

Referred to the Committee on the Suppression of Intemperance.

Mr. Merrell also presented a petition from citizens of Jackson county, on the same subject.

Same reference.

Mr. Ballinger presented a petition from citizens of Montrose, Lee county, asking for the incorporation of River Side Institute under a special charter.

Referred to Committee on Incorporations.

Mr. Whitten presented a petition from physicians of Cass county, remonstrating against any appropriations being made in aid of the Medical Department of the Iowa State University.

Referred to Committee on Medical Institutions.

Mr. Leahy presented a petition from citizens of Franklin county, praying for the repeal of chapter 118, laws of 11th General Assembly.

Referred to Committee on Ways and Means.

Mr. Cadwell presented a petition from citizens of Harrison county, asking for a law regulating freights on railroads.

Referred to Committee on Railroads.

Mr. Williams presented a petition from citizens of Marshall county, asking for a more stringent liquor law.

Referred to the Committee on the Suppression of Intemperance.

#### REPORTS OF COMMITTEES.

Mr. Close from the Committee on Agriculture, submitted the following report :

MR. SPEAKER—Your Committee on Agriculture, to whom was referred H. F. No. 209, A bill for an act to tax dogs for the protection of sheep, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with a substitute therefor, with a unanimous recommendation that the substitute do pass.

Also, refer back the accompanying petitions asking for the passage of a dog law.

CLOSE, *Chairman.*

MR. SPEAKER—Your Committee on Agriculture, to whom was referred H. F. No. 87, A bill for an act for the preservation of fish, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass, with the following amendments:

Strike out of the fifth line "lakes and ponds," and insert "waters."

Insert after the word "pond," in the sixth line, the words "except what are commonly known and called bayous."

Add at the the end of the first section, "and spear."

Strike out section 5.

Also, refer back petitions on same subject.

CLOSE, *Chairman.*

MR. SPEAKER—Your Committee on Agriculture to whom was referred H. F. No. 278, A bill for an act for the protection of birds, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

CLOSE, *Chairman.*

Mr. Campbell, from the Committee on Ways and Means, submitted the following report :

MR. SPEAKER—Your Committee on Ways and Means, to whom was referred H. F. 246, A bill for an act in relation to extraordinary expenditures and increased taxation by municipal corporations, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

JOHN A. KASSON, *Chairman.*

Mr. Peet, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER :—The Committee on Engrossed Bills ask leave to report that they have examined the following bills, and find the same correctly engrossed :

H. F. No. 49, A bill for an act to amend chapter 118, of the laws of the Eleventh General Assembly.

Also, H. F. No. 103, A bill for an act to amend article 2, of chapter 64, Revision of 1860.

Also, H. F. No. 270, A bill for an act to legalize the incorporation of the town of Corning, and the acts of the officers and town council thereunder.

O. T. PEET, *Chairman.*

Mr. Pratt, from the Committee on the Judiciary, submitted the following report:

MR. SPEAKER:—Your committee on the Judiciary, to whom was referred H. F. No. 250, A bill for an act to amend section 3307, of the Revision of 1860, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended by adding to section one of said bill the words “during said ninety days, under and by virtue of an agreement of waiver, in writing, of such exemption by the debtor,” and when so amended that said bill do pass.

H. O. PRATT, *Chairman.*

MR. SPEAKER:—Your Committee on the Judiciary, to whom was referred H. F. No. 235, A bill for an act to punish negligence of railroad employees, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

H. O. PRATT, *Chairman.*

MR. SPEAKER:—Your Committee on the Judiciary, to whom was referred H. F. No. 126, A bill for an act to remove an escheat, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

H. O. PRATT, *Chairman.*

MR. SPEAKER:—Your Committee on the Judiciary, to whom was referred S. F. No. 72, A bill for an act to change the time of holding courts in the ninth Judicial district of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

H. O. PRATT, *Chairman.*

MR. SPEAKER:—Your Committee on the Judiciary, to whom was referred H. F. No. 198, A bill for an act to amend section



3293 of the Revision of 1860, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

H. O. PRATT, *Chairman.*

REPORTS OF COMMITTEES.

Mr. Bergh, from Committee on State Library, submitted the following report :

MR. SPEAKER:—Your Committee on State Library, to whom was referred H. F. No. 117, A bill for an act for the management of the State Library, and fixing the compensation of the State Librarian, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

KNUT E. BERGH, *Chairman.*

Mr. Kasson, from the Committee on Ways and Means, submitted the following report :

MR. SPEAKER:—Your Committee on Ways and Means, to whom was referred House File No. 233, A bill for an act to amend section 719, chapter 45, of the Revision of 1860, in relation to the taxation of personal property, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed, the House having already decided against such amendments of the law.

JOHN A. KASSON, *Chairman.*

MR. SPEAKER:—Your Committee on Ways and Means, to whom was referred H. F. No. 239, A bill for an act to amend section 748, and section 759, Revision of 1860, in relation to revenue, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

JOHN A. KASSON, *Chairman.*

## RESOLUTIONS LAID OVER UNDER RULE 34.

The resolution offered by Mr. Butler restricting members to five minute speeches was taken up and considered.

The amendment pending was not adopted.

The resolution was indefinitely postponed.

## INTRODUCTION OF BILLS.

Mr. Green introduced H. F. No. 296, A bill for an act to promote water power improvements.

Read a first and second time, and referred to Committee on Judiciary.

Mr. Hall introduced H. F. No. 297, A bill for an act permitting suit to be brought against the State.

Read a first and second time, and referred to Committee on Judiciary.

Mr. Hall introduced H. F. No. 298, A bill for an act regulating railroads.

Read a first and second time, and referred to Committee on Railroads.

Mr. Newbold introduced H. F. No. 299, A bill for an act making further appropriation for the Hospital for the Insane at Mount Pleasant.

Read a first and second time, and referred to the Committee on Insane Asylum.

Mr. Wood, of Olay, introduced H. F. No. 300, A bill for an act in relation to insane.

Read a first and second time, and referred to Committee on Insane, and ordered printed.

Mr. Rice introduced House File No. 301, A bill for an act to amend chapter 102, of the Revision of 1860, and to confer upon the clerks of circuit courts exclusive jurisdiction in the matter of issuing marriage licenses, etc.

Read a first and second time, and referred to the Judiciary Committee.

Mr. Dayton introduced House File No. 302, A bill for an act entitled an act to amend section 498, of the Revision of 1860, etc.

Read a first and second time, and referred to Judiciary Committee.

Mr. Van Meter introduced H. F. No. 303, A bill for an act to authorize county surveyors to set time for receiving testimony, etc.

Read a first and second time, and referred to Judiciary Committee.

Mr. McAllister introduced H. F. No. 304, A bill for an act to protect the people from empiricism, etc.

Read a first and second time, and referred to Committee on Medical Institutions and ordered to be printed.

Mr. Kasson introduced H. F. No. 305, A bill for an act to amend chapter 148, of the acts of the Ninth General Assembly.

Read a first and second time, and referred to Committee on Ways and Means.

Mr. Kasson introduced H. F. No. 306, A bill for an act relating to the payment of the managers and officers of the State institutions.

Read a first and second time, and referred to Committee on Ways and Means.

Mr. Kasson introduced H. F. No. 307, A bill for an act to facilitate the collection of delinquent State taxes.

Read a first and second time and referred to Committee on Ways and Means.

#### RESOLUTIONS.

Mr. Blakely offered the following resolution :

*Resolved*, That this House will meet at nine o'clock each day for business.

Mr. Wright, of Mills, moved to amend by meeting every alternate day, Tuesday, Thursday and Saturday.

Mr. Leahy moved to refer to Committee on Rules.

The motion did not prevail.

The amendment did not prevail.

On the adoption of the resolution, Mr. Clarke, of Iowa, and Mr. Blakely demanded the yeas and nays, which were as follows :

The yeas were----

Messrs. Ainsworth, Appleton, Ballinger, Beatty of Jasper; Blackman, Blake, Blakely, Cadwell, Campbell, Cardell, Carver, Clarke, of Iowa; Close, Crawford, Danforth, Davis, Day, Dayton, Draper, Dumont, Duncan, Durham, Ellsworth, Ericson, Evans, Flenniken, Goodspeed, Hanson, Hopkirk, Hovey, Johnston, Kasson, Keables, Lee, McCoy, Newbold, Peet, Reed, Rice, Sandry, Schweer, Secor, Stedman, Stewart, Struthers, Tasker, Van Meter, Van Saun, Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 51.

The nays were—

Messrs. Beatty, of Cedar; Beresheim, Bergh, Bliss, Butler, Caldwell, Christoph, Clark, of Benton; Davisson, Duncombe, Freeman, Green, Gear, Hall, Heberling, Irish, Leahy, Litzenberg, McAllister, McClure, Merrell, Mills, O'Donnell, Paul, Perkins, Rohlf, Rule, Stow, Tufts, Tuttle, Van Deventer, Whitten, Williams, Wilson, of Washington; Wood, of Clay, and Wood, of Story—Total, 36.

Absent or excused----

Messrs. Bonewitz, Booth, Hanan, Hewett, Hilton, Maxwell, Miller, Morrison, Pratt, Reuther, Skillin, Teale and Wilson, of Keokuk---Total, 13.

So the resolution was adopted.

#### INTRODUCTION OF BILLS.

By leave Mr. Danforth introduced H. F. No. 308, A bill for an act to provide seals for the office of county recorder.

Read a first and second time, and referred to Committee on County and Township Organizations.

By leave Mr. Green introduced H. F. No. 309, A bill for an act in relation to capital punishment.

Read a first and second time, and referred to Committee of the Whole House.

RESOLUTIONS.

By leave Mr. Kasson offered the following resolution :

*Resolved*, That during such time as the House goes into the Committee of the Whole on the Code, under the existing rule, the daily order for afternoon session, at a quarter past two o'clock, shall be bills on third reading.

The resolution was adopted.

By leave Mr. Hall called up H. F. No. 41, A bill for an act to enable associations to raise funds, &c.

The bill was taken up and considered.

The amendments recommended by the Committee were adopted.

Leave of absence was granted to the Speaker.

ELECTION OF SPEAKER PRO TEM.

The House proceeded to elect a Speaker *pro tem*.

Mr. Lee nominated Mr. Close, of Black Hawk county.

On a call of the roll, the yeas and nays were as follows :

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar ; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Blakely, Bliss, Butler, Cadwell, Caldwell, Campbell, Cardell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Crawford, Danforth, Davis, Davisson, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Hewett, Hopkirk, Hovey, Irish, Johnson, Kasson, Keables, Leahy, Lee, Litzenberg, McAllister, McClure, McCoy, Merrill, Miller, Mills, Newbold, O'Donnell, Paul, Peet, Perkins, Pratt, Reed, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Stedman, Stewart, Stow, Struthers, Tasker, Teale, Tufts, Tuttle, Van Deventer, Van Meter, Van Saun, Whitten, Williams, Wilson, of Washington; Wood, of Olay; Wright, of Mills; Wright, of Van Buren, and Mr. Speaker—Total, 88.

The nays were none.

Absent or excused—

Messrs. Bonewitz, Booth, Close, Hanan, Heberling, Hilton, Maxwell, Morrison, Reuther, Skillin, Wilson, of Keokuk ; and Wood, of Story—Total, 12.

So the motion to elect Speaker *pro tem* prevailed.  
On motion of Mr. Campbell the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
Des Moines, Iowa, March 6th, 1872. }

House convened pursuant to adjournment.  
The Speaker *pro tem* in the Chair.  
Prayer by Rev. J. A. Nash.  
Journal of yesterday was read and approved.

Mr. Campbell moved to take up the motion to reconsider the vote by which the House passed H. F. No. 179.  
The motion prevailed.  
The motion to reconsider prevailed.  
The bill was passed upon the files.

UNFINISHED BUSINESS.

The question recurring on the consideration of House File No. 41, A bill for an act to enable associations to raise money, &c.

The bill was taken up and considered.  
The bill was ordered engrossed and to be read a third time.

Mr. Hall moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Jasper ; Beresheim, Bergh, Blackman, Blake, Bliss, Butler, Cadwell, Caldwell, Campbell, Cardell, Carver, Christoph, Clark, of Benton ; Close, Crawford, Danforth, Davis, Day, Dayton, Draper, Dumont, Duncan, Duncomb, Ellsworth, Ericson, Evans, Fleniken, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hopkirk, Hovey, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, McAllister, McClure, McCoy, Merrell, Miller, Mills, Newbold, O'Donnell, Paul, Peet, Perkins, Pratt, Reed, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Stedman, Stewart, Stow, Struthers, Tuttle, Van Deventer, Van Sann, Whitten, Williams, Wilson, of Keokuk ; Wilson, of Washington ; Wood, of Clay ; Wood, of Story ; Wright, of Van Buren, and Mr. Speaker—Total, 81.

The nays were—

Messrs. Beatty, of Cedar ; Blakely, Clarke, of Iowa ; Davisson, Durham, Hilton, Tasker, Tufts, Van Meter, and Wright, of Mills—Total, 10.

Absent or excused—

Messrs. Bonewitz, Booth, Hanan, Irish, Maxwell, Morrison, Reuther, Skillin, and Teale—Total, 9.

So the bill passed.

Mr. Gear moved to amend the title by inserting after the word "enable," the words "corporation and mutual loans."

The motion prevailed, and so amended the title was agreed to.

Leave was granted to Mr. Ballinger to call up H. F. No. 24, A bill for an act to create public libraries, &c., was taken up and considered.



Mr. Leahy moved to amend by inserting after the word "city," or "incorporated town."

The motion to amend prevailed.

Mr. Hilton moved to amend by inserting three thousand inhabitants.

The amendment did not prevail.

Mr. Gear offered the following amendment :

Add to section 1, "*Provided* that no tax exceeding one-half a mill shall be levied in cities of over ten thousand population."

The amendment did not prevail.

Mr. Goodspeed moved to strike out the publication clause.

The motion did not prevail.

Mr. Ballinger moved that the rule be suspended, that the bill be considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar ; Beatty, of Jasper ; Bergh, Blackman, Blakely, Butler, Cadwell, Caldwell, Cardell, Carver, Christoph, Clark, of Benton ; Clarke, of Iowa ; Close, Crawford, Danforth, Davis, Davisson, Day, Dayton, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Goodspeed, Hanson, Heberling, Hewett, Hovey, Johnston, Kasson, Keables, Leahy, Litzenberg, McClure, McCoy, Merrell, Miller, Mills, Newbold, Paul, Peet, Perkins, Pratt, Rice, Rohlf, Rule, Sandry, Schweer, Stedman, Stewart, Stow, Struthers, Tasker, Teale, Tufts, Tuttle, Van Deventer, Van Meter, Van Saun, Whitten, Williams, Wilson, of Keokuk ; Wilson, of Washington ; Wood, of Clay ; Wright, of Mills ; and Wright, of Van Buren—Total, 74.

The nays were—

Messrs. Beresheim, Campbell, Draper, Freeman, Gear, Green, Hall, Hilton, Hopkirk, Lee, McAllister, O'Donnell, and Wood, of Story—Total, 13.

Absent or excused—

Messrs. Blake, Bliss, Bonewitz, Booth, Hagan, Irish, Maxwell, Morrison, Reed, Reuther, Secor, Skillin, and Mr. Speaker—Total, 13.

The title was amended by inserting after the word cities, the words "and incorporated towns," and so amended the title was agreed to.

The hour having arrived for the special order, the consideration of the motion to reconsider the vote on the passage of House File No. 97, A bill to protect feeders of stock, the same was taken up.

By leave of the House, Mr. Gear withdrew his motion to reconsider the vote by which the bill was passed.

Leave of absence was granted to Mr. Irish.

Mr. Ellsworth called up H. F. No. 9, A bill for an act for the protection of the life and health of miners.

The substitute recommended by the committee was adopted.

Mr. Ellsworth moved that the rule be suspended, the bill considered engrossed, and read a third time now.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill:

H. F. No. 270, A bill for an act to legalize the incorporation of the town of Corning, and of the officers and town council thereunder, with the following amendment, in which the concurrence of the House is asked:

Insert the words "Iowa State Register" in publication clause of the bill.

J. A. T. HULL, *Secretary*.

Mr. Davis moved to amend as follows:

**“And provided further that only one visit shall be made upon one application in writing.”**

By leave, Mr. Davis withdrew his amendment.

Mr. Duncombe moved to amend by adding to section 2, the following:

**“And further, in cases where the inspectors decided that the inspection applied for was unnecessary, then and in that case the fee should be paid for by the person or persons applying for the same.”**

The amendment prevailed.

The motion to suspend the rule prevailed.

The bill was read a third time.

On the question, “Shall the bill pass?” the yeas and nays were as follows:

The yeas were—

Messrs. Appleton, Ballinger, Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Blakely, Butler, Cadwell, Caldwell, Campbell, Cardell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Davisson, Day, Dayton, Draper, Dumont, Duncan, Durham, Ellsworth, Ericson, Evans, Freeman, Gear, Goodspeed, Hall, Hanson, Heberling, Hewitt, Hovey, Johnston, Kasson, Leahy, Litzenberg, McAllister, McClure, Merrell, Miller, Mills, Newbold, Paul, Peet, Perkins, Reed, Rice, Rohlf, Rule, Sandry, Schweer, Stedman, Stewart, Teale, Van Deventer, Van Meter, Van Saun, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; and Wright, of Van Buren—Total, 71.

The nays were—

Messrs. Ainsworth, Duncombe, Flennikin, Green, Hilton, Hopkirk, Keables, Lee, McCoy, O'Donnell, Pratt, Stow, Struthers, Tasker, Tufts, and Whitten—Total, 16.

Absent or excused—

Messrs. Beatty, of Cedar; Bliss, Bonewitz, Booth, Hanan, Irish, Maxwell, Morrison, Reuther, Secor, Skillin, Tuttle, and Mr. Speaker—Total, 13.

So the bill passed and the title was agreed to.

By leave, Mr. Beresheim called up H. F. No. 147, A bill for

an act to legalize the acts of Robert E. Montgomery, clerk of the district and circuit courts of Potawattamie county.

The bill was taken up and considered.

The amendment recommended by the committee was adopted.

Mr. Beresheim moved to amend by adding the publication clause.

The motion prevailed.

Mr. Beresheim moved that the rule be suspended and the bill be read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Blakely, Bliss, Butler, Cadwell, Caldwell, Campbell, Cardell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Davisson, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Fleniken, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewitt, Hilton, Hopkirk, Hovey, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, McAllister, McClure, McCoy, Merrell, Miller, Mills, Newbold, O'Donnell, Paul, Peet, Perkins, Pratt, Reed, Rice, Rohlf, Rule, Sandry, Schweer, Stedman, Stewart, Stow, Struthers, Tasker, Teale, Tufts, Tuttle, Van Deventer, Van Meter, Van Sann, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills, and Wright, of Van Buren—Total, 89.

The nays were none.

Absent or excused—

Messrs. Beatty, of Cedar; Bonewitz, Booth, Hanan, Irish, Maxwell, Morrison, Reuther, Skillin, Secor, and Mr. Speaker—Total, 11.

So the bill passed and the title was agreed to.

By leave, Mr. Davis called up H. F. No. 270, A bill for an act

to legalize the incorporation of the town of Corning, and the acts of the officers and town council thereunder.

On the adoption of the Senate amendment, the yeas and nays were as follows :

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Blakely, Bliss, Butler, Cadwell, Caldwell, Cardell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Davisson, Day, Dayton, Draper, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Gear, Goodspeed, Green, Hanson, Heberling, Hewett, Hilton, Hopkirk, Hovey, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, McAllister, McClure, McCoy, Merrell, Miller, Mills, Newbold, O'Donnell, Paul, Peet, Perkins, Reed, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Stedman, Stewart, Stow, Struthers, Tasker, Teale, Tufts, Tuttle, Van Deventer, Van Meter, Van Saun, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; and Wright, of Van Buren—Total, 86.

The nays were—

Mr. Hall—Total, 1.

Absent or excused—

Messrs. Beatty, of Cedar; Bonewitz, Booth, Campbell, Dumont, Hanan, Irish, Maxwell, Morrison, Pratt, Reuther, Skillin, and Mr. Speaker—Total, 18.

So the Senate amendment was concurred in.

#### REPORT OF COMMITTEE.

Mr. Peet from Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER:—The Committee on Engrossed Bills ask leave to report that they have examined the following bills, and find the same correctly engrossed :

House File No. 97, A bill for an act to protect feeders of stock.

H. F. No. 118, A bill for an act to provide that the board of trustees of the incorporated town of Grinnell may have control of Hazlewood cemetery.

H. F. No. 213, A bill for an act to legalize the organization of the independent school district of Elm Grove, in the township of Bloomfield, Polk county, and Greenfield, Warren county, Iowa.

H. F. No. 242, A bill for an act to legalize the acts of J. L. Coble, while acting as justice of the peace in Kane township, in Benton county.

C. T. PEET, *Chairman.*

#### REPORT OF COMMITTEE.

Mr. Van Deventer, from Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER :—The Committee on Enrolled Bills ask leave to report that they have examined the following bills, and find the same correctly enrolled:

S. F. No. 113, A bill for an act to amend section four, chapter eleven, laws of the Fourteenth General Assembly of the State of Iowa.

Also, S. F. No. 131, A bill for an act to regulate appeals to the Supreme Court of the State of Iowa.

J. VAN DEVENTER, *Chairman.*

On motion of Mr. Green, the House adjourned.

TWO O'CLOCK, P. M.

House called to order by the Speaker *pro tem*.

By leave, Mr. Wood, of Clay, called up H. F. No. 144, A bill for an act for the relief of Isaac Skinner, etc.

The bill, with accompanying substitute, was taken up and considered.

The substitute reported by the committee was adopted.

Mr. Wood, of Clay, moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Jasper; Bergh, Blackman, Blakely, Bliss, Butler, Cadwell, Caldwell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Olose, Crawford, Dauforth, Day, Dayton, Draper, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Gear, Green, Hall, Hanson, Heberling, Hewett, Hopkirk, Hovey, Johnston, Kasson, Leahy, Lee, Litzenberg, McAllister, McClure, McCoy, Merrell, Miller, Newbold, O'Donnell, Paul, Perkins, Pratt, Reed, Rice, Rohlf's, Rule, Sandry, Schweer, Secor, Stedman, Stewart, Stow, Struthers, Teale, Tufts, Tuttle, Van Deventer, Van Meter, Van Sann, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wright, of Mills; and Wright, of Van Buren—Total, 75.

The nays were—

Messrs. Goodspeed, Hilton, Keables, and Tasker—Total, 4.

Absent or excused—

Messrs. Beatty, of Cedar; Beresheim, Blake, Bonewitz, Booth, Campbell, Cardell, Davis, Davisson, Dumont, Hanan,



Irish, Maxwell, Mills, Morrison, Peet, Reuther, Skillin, Whitten, Wood, of Story; and Mr. Speaker—Total, 21.

Mr. Duncombe moved to amend the title to the bill so that it shall read as follows:

“An act to release the interest in certain lots in Estherville, Emmet county, to Isaac Skinner.”

The motion prevailed.

The title to the bill so amended was agreed to.

#### MESSAGES ON SPEAKER'S TABLE.

Mr. Hewett asked leave to call up S. F. No. 145, A bill for an act to legalize the independent school district of Homer, Iowa.

The bill was taken up and referred to the Committee on Judiciary.

By leave Mr. Beatty, of Jasper, called up S. F. No. 140, A bill for an act to legalize the incorporation of the town of Newton, and the acts of the officers acting thereunder.

The bill was read a first and second time.

Mr. Beatty, of Jasper, moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, “Shall the bill pass?” the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Blakely, Bliss, Butler, Cadwell, Caldwell Campbell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Day, Dayton, Draper, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewitt, Hilton, Hopkirk, Hovey,

Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, McAllister, McClure, McCoy, Merrell, Miller, Newbold, O'Donnell, Paul, Peet, Perkins, Pratt, Reed, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Stedman, Stewart, Stow, Struthers, Tasker, Teale, Tufts, Tuttle, Van Meter, Van Saun, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wright, of Mills, and Wright, of Van Buren—Total, 78.

The nays were none.

Absent or excused—

Messrs. Beatty, of Cedar; Bonewitz, Booth, Cadwell, Davis, Davisson, Dumont, Hanan, Irish, Maxwell, Mills, Morrison, Reuther, Skillin, Van Deventer, Whitten, Wood, of Story; and Mr. Speaker—Total, 22.

So the bill passed and the title was agreed to.

#### BILL INTRODUCED.

By leave, Mr. O'Donnell introduced H. F. No. 310, A bill for an act to repeal section 4244 of the Revision of 1860, &c.

Read a first and second time, and referred to committee on Judiciary.

#### BILLS ON THIRD READING.

H. F. No. 141, A bill for an act to repeal certain laws relating to the prosecution of certain claims against the general government was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Jasper; Beresheim, Blackman, Blake, Blakely, Bliss, Butler, Cadwell, Caldwell, Campbell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Day, Dayton, Draper, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Hewett, Hilton, Hopkirk, Hovey, Johnston, Kasson, Keables, Leahy, Lee,

Litzenberg, McAllister, McClure, McCoy, Merrell, Miller, Mills, Newbold, O'Donnell, Paul, Peet, Perkins, Pratt, Reed, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Stedman, Stewart, Stow, Struthers, Tasker, Teale, Tuttle, Van Deventer, Van Meter, Van Saun, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wright, of Mills; and Wright, of Van Buren—Total, 82.

The nays were:—

Messrs. Heberling and Tufts—Total, 2.

Absent or excused:—

Messrs. Beatty, of Cedar; Bergh, Bonewitz, Booth, Cardell, Davisson, Dumont, Hanan, Irish, Maxwell, Morrison, Reuther, Skillen, Whitten, Wood, of Story; and Mr. Speaker—Total, 16.

So the bill passed, and the title was agreed to.

S. F. No. 49, A bill for an act giving consent to the purchase by the United States of certain real estate, was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Jasper; Beresheim, Bergh, Blackman, Blakely, Bliss, Butler, Cadwell, Caldwell, Campbell, Cardell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Hovey, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, McAllister, McClure, McCoy, Merrell, Miller, Mills, Newbold, O'Donnell, Paul, Peet, Perkins, Pratt, Reed, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Stedman, Stewart, Stow, Struthers, Tasker, Teale, Tufts, Tuttle, Van Deventer, Van Meter, Van Saun, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wright, of Mills; Wright, of Van Buren.—Total, 87.

The nays were none.

Absent or excused—

Messrs. Beatty, of Cedar; Blake, Bonewitz, Booth, Davisson, Hanan, Irish, Maxwell, Morrison, Skillin, Whitten, Wood, of Story; and Mr. Speaker—Total, 13.

So the bill passed and the title was agreed to.

H. F. No. 26, A bill for an act to amend chapter 86, of the acts of the Tenth General Assembly, etc., was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty of Jasper; Beresheim, Bergh, Blackman, Blakely, Butler, Cadwell, Caldwell, Cardell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa;

Close, Crawford, Davis, Day, Dayton, Draper, Dumont, Duncombe, Durham, Ellsworth, Ericson, Flennikin, Gear, Goodspeed, Hall, Hanson, Heberling, Hewitt, Hilton, Hopkirk, Hovey, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, McClure, McCoy, Merrell, Miller, Mills, Newbold, Paul, Peet, Perkins, Pratt, Reed Rice, Rule, Sandry, Schweer, Secor, Stedman, Stewart, Stow, Struthers, Tasker, Teale, Tufts, Tuttle, Van Deventer, Van Saun, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay and Wright, of Van Buren—Total, 74.

The nays were.

Messrs. Campbell, Danforth, Duncan, Evans, Freeman, Green, McAllister, O'Donnell, Rohlf, Van Meter, and Wright of Mills—Total, 11.

Absent or excused—

Messrs. Beatty, of Cedar; Blake, Bliss, Bonewitz, Booth, Davisson, Hanan, Irish, Maxwell, Morrison, Reuther, Skillin, Whitten, Wood, of Story and Mr. Speaker—Total, 15.

So the bill passed and the title was agreed to.

By leave, Mr. Blackman introduced H. F. No. 311, A bill for an act to add a section to chapter 118 of the Revision of 1860, &c.

Read a first and second time, and referred to Judiciary Committee.

By leave, Mr. Peet called up S. F. No. 72, A bill for an act changing the time of holding courts in the Ninth Judicial District.

The bill was considered.

Mr. O'Donnell moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were:—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Jasper; Beresheim, Bergh, Blackman, Blakely, Bliss, Butler, Cadwell, Caldwell, Campbell, Cardell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Flenniken, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewitt, Hilton, Hopkirk, Hovey, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, McClure, McCoy, Merrell, Miller, Mills, Newbold, O'Donnell, Paul, Peet, Perkins, Pratt, Reed, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Stedman, Stewart, Stow, Struthers, Tasker, Teale, Tufts, Tuttle, Van Deventer, Van Meter, Van Saun, Williams, Wilson, of Keokuk; Wilson, of Washington, Wood, of Clay; Wright, of Mills; and Wright, of Van Buren—Total, 84.

The nays were none.

Absent or excused—

Messrs. Beatty, of Cedar; Blake, Bonewitz, Booth, Davisson, Evans, Hanan, Irish, Maxwell, McAllister, Morrison, Reuther, Skillin, Whitten, Wood, of Story; and Mr. Speaker—Total, 16.

So the bill passed and the title was agreed to.

#### REPORTS OF COMMITTEES.

Mr. Van Deventer, from Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills ask leave to report that they have examined the following bills, and find the same correctly enrolled:

Substitute for H. F. No. 123, A bill for an act prescribing the manner in which fees of jurymen, and county expenses shall be paid in cases of change of venue.

Also, H. F. No. 230, A bill for an act to legalize the incorporation of the independent school district of Stanwood, Cedar county, Iowa.

Also, S. F. No. 101, A bill for an act to legalize the acts of the independent school district of Ossian, in Military township, Winnebush county, Iowa, in making an over issue of bonds for school house purposes.

J. VAN DEVENTER, *Chairman*.

Mr. Lee, from Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER:—The Committee on Engrossed Bills ask leave to report that they have examined the following bills, and find the same correctly engrossed:

H. F. No. 212, A bill for an act to legalize the formation of independent school district number one, in Bloomfield township, &c.

Also, H. F. No. 225, A bill for an act to legalize the acts of the board of trustees, mayor and recorder of the town of Sharon, Mahaska county, Iowa.

Also, H. F. No. 267, A bill for an act to legalize the acts of the board of directors of the district township of Delaware, Polk county, Iowa.

Also, H. F. No. 249, A bill for an act to legalize the acts of the independent school district of Mason City, Iowa.

J. M. LEE, *Chairman*.

The hour having arrived for the House to go into a Committee of the Whole, Mr. O'Donnell moved that the House resolve itself into a Committee of the Whole on the consideration of the Code.

The motion prevailed, and the Speaker called Mr. Kasson to the chair.

The Committee arose and reported that they had had the report of the Code Commissioners under consideration, and had proceeded as far as part third, and asked leave to sit again.

House called to order by the Speaker *pro tem*.

By leave, Mr. Reed withdrew H. F. No. 191, A bill for an act to incorporate the Sabula Transit Company, from Committee on Judiciary.

By leave, Mr. Duncombe withdrew H. F. No. 124, A bill for an act to legalize the organization of the Sabula, Ackley & Dakota, Railroad Company, &c., from the Committee on Railroads.

#### PETITIONS.

Mr. Crawford presented a petition from physicians of Wayne county, remonstrating against any appropriations in aid of the medical department of the State University.

Referred to Committee on Medical Institutions.

On motion of Mr. Caldwell the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, March 7th, 1872. }

House convened pursuant to adjournment.

The Speaker in the chair.

Prayer by Hon. L. T. Ellsworth.

Journal of yesterday read and approved.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following bills, in which the concurrence of the House is asked :

S. F. No. 32, A bill for an act authorizing municipal corporations to levy poll-taxes.

Also, S. F. No. 144, A bill for an act to provide for issuing State bonds for losses to the permanent school fund.

I am also directed to inform your honorable that the Senate has passed without amendment the following bill :

H. F. No. 118, A bill for an act to provide that the board of trustees of the incorporated town of Grinnell may have control of Hazelwood cemetery.

J. A. T. HULL, *Secretary*.

Leave of absence was granted to Messrs. Skillin (for one week), Hewett, Appleton, and Hall.

By leave Mr. Pratt offered the following resolution :

*Resolved by the General Assembly of the State of Iowa,* That it will adopt and pass the new Code, as reported by the Code Commissioners, without including therein the amendments thereto reported and recommended by said Commissioners. And that the Judiciary Committees of the Senate and House of Representatives are hereby constituted a joint committee of the two houses, and are hereby instructed to prepare and report the necessary bill, or bills, to pass and enact said new Code. And,

*Be it further resolved,* That the amendments reported and recommended to said Code by said Commissioners, in their printed report, be made the subject of separate bills, with a view to have the same afterwards incorporated into the body of said Code in their appropriate places.

Mr. Evans moved to postpone the resolution till to-morrow morning.

The motion prevailed.

#### PETITIONS.

Mr. Stedman presented a petition from citizens of Benton county, asking that the office of county superintendent be abolished.

Referred to Committee on Schools.

Mr. Secor presented a petition from citizens of Winnebago county, asking for a law protecting fur-bearing animals.

Referred to Committee on Agriculture.

Mr. Draper presented a petition from citizens of Jasper county, asking that the office of county superintendent be abolished.

Referred to Committee on Schools.

Mr. McClure presented a petition from citizens of Linn county, asking for a law regulating freights on railroads.

Referred to Committee on Railroads.

Mr. Peet presented a petition from citizens of Delaware county, praying that the office of county superintendent be abolished.

Referred to Committee on Schools.

Also, a petition from citizens of Delaware county remonstrating against the abolishment of the office of county superintendent.

Referred to Committee on Schools.

Mr. Stedman presented the memorial of James Wood, which was referred to Committee on Judiciary.

#### REPORTS OF COMMITTEES.

Mr. Hewett from Committee on Agricultural College, submitted the following report:



MR. SPEAKER:—Your Committee on Agricultural College, to whom was referred H. F. No. 282, A bill for an act making appropriations for the Agricultural College and Farm, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

J. B. HEWETT, Jr., *Chairman.*

Mr. Lee, from Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER:—The Committee on Engrossed Bills ask leave to report that they have examined the following bills, and find the same correctly engrossed:

H. F. No. 147, A bill for an act to legalize the acts of Robert E. Montgomery, clerk of the District and Circuit Courts of Pottawattamie county.

Also, H. F. No. 41, A bill for an act to enable co-operative and mutual loan associations to raise funds to be loaned among their members for building purposes, and for other purposes, to become a body corporate.

JOHN M. LEE, *Chairman.*

Mr. Tufts, from Committee on claims, submitted the following report:

MR. SPEAKER:—Your Committee on Claims, to whom was referred the memorial of James Hall, of Albany, N. Y., formerly State Geologist of Iowa, claiming \$2,905.75, and interest at 6 per cent from January 2, 1861, amounting in all to \$4,823.51, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be not allowed for the following reasons: They find that the service on which this claim is based was performed after the time for which the Professor had been appointed had expired, and therefore he had no authority to act, and the claim is not valid. They also find that the claim was thoroughly examined by the Committee on Claims at the session of 1862, as per report on page 721 of House Journal of that session, and that it has been presented to the General Assembly, and refused, several times since then.

TUFFS, *Chairman.*

Mr. Bonewitz, from Committee on County and Township Organizations, submitted the following report:

MR. SPEAKER:—Your Committee on County and Township Organizations, to whom was referred H. F. No. 253, A bill for an act to amend section 778 of the Revision of 1860, in relation to recording notices of assignments of tax-sale certificates of purchase,

beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation it be referred to the Committee on Judiciary.

Referred to Judiciary Committee.

Also, H. F. No. 210, A bill for an act to provide for the compilation and publication of the laws regulating the duties of township clerks and township trustees, and distribution of the same, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

P. G. BONEWITZ, *Chairman.*

Mr. McAllister, from the Committee on Incorporations, submitted the following report :

MR. SPEAKER:—Your Committee on Incorporations, to whom was referred H. F. No. 269, A bill for an act to legalize the annexation of territory to the city of Pella, Iowa, the abandonment of its special charter, and of other acts of said city, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

McALLISTER, *Chairman.*

Mr. Kasson, from the Committee on Ways and Means submitted the following report :

MR. SPEAKER:—Your Committee on Ways and Means, to whom was referred H. F. No. 114, A bill for an act to amend, etc., beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the house with the recommendation that it be indefinitely postponed.

Also, H. F. No. 120, A bill for an act to amend section 720, Revision of 1860, etc., beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, H. F. No. 205, a bill for an act to amend section 799 of the Revision of 1860, etc., beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with an amendment in the form of a substitute, and recommend that the substitute do pass.

Also, H. F. No. 286, A bill for an act to amend chapter 25, acts of the 9th General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass, with an amendment, striking out the word "deemed" where it occurs near the end of section 1.

Also, H. F. No. 180, A bill for an act to amend section 762, Revision of 1860, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed, in view of the provisions of section 785, of the Revision of 1860.

JOHN A. KASSON, *Chairman.*

Mr. Pratt, from the Committee on Judiciary, submitted the following report :

MR. SPEAKER :—Your Committee on Judiciary, to whom was referred H. F. No. 135, A bill for an act to repeal section 1840 of the Revision of 1860, and to provide a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended by adopting the substitute therefor herewith reported, and recommend that said substitute do pass.

H. O. PRATT, *Chairman.*

Mr. Gear, from the committee on H. F. No. 22, submitted the following report :

MR. SPEAKER :—Your special committee on bills for improvement of streets and alleys, to whom was referred substitute for H. F. No. 22, beg leave to report that they have had under consideration the following substitute, and have instructed me to report the same back to the House with the recommendation that it do pass :

Strike out in the fifth line, section one, the word "to" and insert the word "shall."

Strike out in line seven, section two, the word "herein" and insert the words "by this section."

In lines seven and eight, section two, strike out words "of any such improvement made under this act," and insert the word "thereof."

Add to section seven the words "chapter 45 of the Thirteenth General Assembly and."

Insert in the twelfth line of section two, after the word "thereof," "except when the same shall have been ordered to be done by not less than four-fifths of the whole number of members composing such city council or trustees of any such incorporated city or town."

J. H. GEAR, *Chairman.*

Mr. Duncombe, from Committee on Railroads, submitted the following report :

MR. SPEAKER :—Your Committee on Railroads, to whom was

referred H. F. No. 176, A bill for an act to amend section 1317 of chapter 55 of the Revision of 1860, beg leave to report that they have had the same under consideration, and have instructed me to report a substitute with the recommendation that it pass.

JOHN F. DUNCOMBE, *for Chairman.*

On motion of Mr. Campbell, H. F. No. 179, was taken up and re-committed to Committee on Constitutional Amendments.

#### INTRODUCTION OF BILLS.

Mr. Williams introduced H. F. No. 312, A bill for an act to allow all appeals to the supreme court from Hardin and Franklin counties, to be taken to Des Moines instead of Dubuque.

Read a first and second time, and referred to Judiciary Committee.

Mr. Leahy introduced H. F. No. 313, A bill for an act repealing section 2391 of the Revision of 1860, fixing the times of filing claims, &c.

Read a first and second time, and referred to Committee on Judiciary.

Mr. Blakely introduced H. F. No. 314, A bill for an act to amend section 1, chapter 28, acts of the Twelfth General Assembly.

Read a first and second time, and referred to Committee on Schools.

Mr. Ellsworth introduced H. F. No. 315, A bill for an act to protect the people of Iowa from empiricism, &c.

Read a first and second time, and referred to Committee on Medical Institutions, and ordered printed.

Mr. Durham introduced H. F. No. 316, A bill for an act to increase the compensation of township assessors.

Read a first and second time, and referred to Committee on Compensation of Public Officers.

Mr. Van Deventer introduced H. F. No. 317, A bill for an act to establish an insurance bureau, and to regulate insurance.

Read a first and second time, and referred to Committee on Insurance.

Mr. Struthers introduced H. F. No. 318, A bill for an act to amend chapter 100, acts of the Twelfth General Assembly, &c.

Read a first and second time, and referred to Committee on Roads and Highways.

Mr. Newbold introduced H. F. No. 319, A bill for an act to enjoin the commission of crimes and misdemeanors.

Read a first and second time, and referred to Judiciary Committee.

Mr. Newbold introduced H. F. No. 320, A bill for an act providing for the management of the school fund, &c.

Read a first and second time, and referred to Committee on Schools.

By leave Mr. Blake called up H. F. No. 125, A bill for an act to legalize the independent school district of New Cherokee.

The bill, with the substitute, was considered.

The substitute was adopted.

Mr. Blake moved that the rule be suspended, the bill considered, engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Ballinger, Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Blakely, Bliss, Bonewitz, Butler, Cadwell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Davisson, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Gear, Goodspeed, Hanson, Heberling, Hewett, Hopkirk, Hovey, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Miller, Mille, Newbold, Paul, Peet, Perkins, Reed, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Stedman, Stewart, Stow, Struthers, Tufts, Van Deventer, Van Meter, Van Saun, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren, and Mr. Speaker—Total, 81.

The nays were Mr. Hilton.

Absent or excused—

Messrs. Appleton, Beatty, of Cedar; Booth, Caldwell, Campbell, Christoph, Green, Hall, Hanan, Irish, Morrison, O'Donnell, Pratt, Reuther, Skillen, Tasker, Teale, and Tuttle—Total, 18.

So the bill passed, and the title was agreed to.

Leave of absence was granted to Mr. Beatty, of Cedar.

By leave, Mr. Keables called up H. F. No. 269, A bill for an act to legalize the annexation of territory to the town of Pella, &c.

The bill was taken up and considered.

Mr. Keables moved that the rule be suspended, the bill considered engrossed and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Blackman, Blakely, Bonewitz, Butler, Cardell,

Carver, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Davis, Davisson, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Gear, Goodspeed, Green, Hanson, Heberling, Hewett, Hilton, Hopkirk, Hovey, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Miller, Mills, Newbold, Paul, Peet, Perkins, Pratt, Reed, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Stedman, Stewart, Stow, Struthers, Tasker, Teale, Tufts, Van Deventer, Van Meter, Van Saun, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington, Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 83.

The nays were none.

Absent or excused—

Messrs. Appleton, Bergh, Blake, Bliss, Booth, Cadwell, Caldwell, Campbell, Christoph, Hall, Hanan, Irish, Morrison, O'Donnell, Reuther, Skillin, and Tuttle—Total, 17.

So the bill passed, and the title was agreed to.

By leave, Mr. Danforth offered the following resolution :

*Resolved*, That the Committee on Agriculture be instructed to inquire into the expediency of recognizing fences built of wire as a legal fence, and report thereon by bill or otherwise as soon as practicable.

The resolution was referred to Committee on Agriculture.

By leave, Mr. Ellsworth called up H. F. No. 85, A bill for an act to amend chapter 45, of Revision of 1860, &c.

Mr. Ellsworth moved to refer the bill to a Special Committee of three.

The motion did not prevail.

The question being on ordering the bill engrossed for a third reading did not prevail, and the bill was declared lost.

#### MESSAGES ON THE SPEAKER'S TABLE.

The resolution in regard to postal telegraph service was taken up and considered.

The resolution was not adopted.

Also, S. F. No. 48, A bill for an act in relation to public libraries, was taken up and read a first and second time, and referred to Committee on Public Libraries.

Also, S. F. No. 161, A bill for an act to furnish transportation to discharged convicts, was taken up and read a first and second time, and referred to Committee on Penitentiary.

S. F. No. 139, A bill for an act to legalize certain bonds issued by the board of directors of the independent school district of Nashua, Chickasaw county, Iowa, &c., was taken up and read a first and second time, and referred to Judiciary Committee.

S. F. No. 144, A bill for an act to provide for issuing State

bonds for losses to the Permanent School Fund, was taken up, and read a first and second time, and referred to Committee on Ways and Means.

S. F. No. 32, A bill for an act authorizing municipal corporations to levy poll-tax, was taken up, and read a first and second time, and referred to Committee on Incorporations.

Leave was granted to Mr. Blakely to call up H. F. No. 209, A bill for an act to tax dogs for the protection of sheep.

The substitute recommended by the committee was adopted.

Mr. Blakely moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

Upon the question, "Shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Beresheim, Blakely, Bliss, Butler, Cadwell, Caldwell, Campbell, Cardell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Crawford, Danforth, Day, Durham, Ericson, Evans, Fleniken, Freeman, Gear, Goodspeed, Hanson, Hilton, Johnston, Kasson, Leahy, Miller, Mills, Newbold, Perkins, Reed, Sandry, Schweer, Tasker, Teale, Tuttle, Van Meter, Van Saun, Wood, of Story, and Mr. Speaker—Total, 41.

The nays were---

Messrs. Ainsworth, Ballinger, Beatty, of Jasper; Bergh, Blackman, Blake, Bonewitz, Close, Davis, Davisson, Dayton, Draper, Dumont, Duncan, Duncombe, Ellsworth, Green, Heberling, Hopkirk, Hovey, Irish, Keables, Lee, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, O'Donnell, Paul, Peet, Pratt, Rice, Rohlf, Rule, Stedman, Stewart, Stow, Struthers, Tufts, Van Deventer, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wright, of Mills; and Wright, of Van Buren—Total, 49.

Absent or excused—

Messrs. Appleton, Beatty, of Cedar; Booth, Hall, Hanan, Hewett, Morrison, Reuther, Secor, and Skillin---Total, 10.

So the bill was lost.

The hour having arrived for the special order, the consideration of H. F. No 265, A bill for an act to amend an act to provide for a State capital the bill was taken up and considered.

On motion of Mr. Kasson the bill was postponed and made a special order for Thursday, March 14, at 10 o'clock A. M.

Mr. Close moved to reconsider the vote by which H. F. No. 209 was lost.

Mr. Rohlf moved to lay the motion on the table.

The motion to lay on the table did not prevail.

The motion to reconsider was postponed and placed on file for one week.



On motion of Mr. Gear, H. F. No. 22, A bill for an act to authorize the improvement of streets and alleys, was made a special order for Saturday, March 6th, 1872.

## BILLS ON SECOND READING.

H. F. No. 128, A bill for an act to amend section 824, chapter 46, Revision of 1860, etc., was taken up and considered.

Mr. Evans moved that the bill be indefinitely postponed.

The motion prevailed.

H. F. No. 143, A bill for an act requiring the cultivators of Osage hedge, to trim the same, was taken up and considered.

Mr. Clarke of Iowa, moved to recommit to Committee on Agriculture.

The motion prevailed.

H. F. No. 130, A bill for an act to amend section 2201 of the Revision of 1860, etc., was considered.

The question being on its engrossment, the House refused to order the bill engrossed.

H. F. No. 58, A bill for an act to repeal sections 7 and 8 of chapter 100, of the Twelfth General Assembly, etc., was considered.

Mr. Wright of Mills offered a substitute.

Mr. Hilton move to amend the substitute by striking out the word *male*.

The motion did not prevail.

Mr. Reed moved to recommit to Committee on Roads and Highways.

Mr. Evans moved to amend by referring to Committee on Compensation of public officers.

The motion did not prevail.

Mr. Leahy moved to amend by referring to Committee on Agriculture.

The motion did not prevail.

The motion to recommit to Committee on Roads and Highways did not prevail.

Mr. Danforth moved to strike out of section 3 the words *forty-five* and inserting *fifty*.

The motion prevailed.

Mr. Van Meter moved to amend section 4, by striking out *two* and insert *four*.

The motion did not prevail.

Mr. Goodspeed moved to strike out *two* and insert *one*.

The motion did not prevail.

Mr. Leahy moved to strike out two dollars and insert one dollar and fifty cents.

The motion did not prevail.

The substitute was adopted, and the recommendation to indefinitely postpone prevailed.

The resolution in regard to a proposed amendment to the constitution by striking out article 10, section 5, was taken up.

On the adoption of the resolution, the yeas and nays were as follows :

The yeas were—

Messrs. Ainsworth, Ballinger, Beatty, of Jasper ; Bereshiem, Bergh, Blake, Blakely, B'iss, Bonewitz, Butler, Cadwell, Caldwell, Campbell, Cardell, Carver, Christoph, Clark, of Benton ; Clarke, of Iowa ; Close, Crawford, Danforth, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Gear, Goodspeed, Green, Hanson, Heberling, Hewett, Hilton, Hopkirk, Hovey, Irish, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Miller, Mills, Newbold, O'Donnell, Paul, Peet, Perkins, Pratt, Reed, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Stedman, Stewart, Struthers, Tasker, Teale, Tufts, Van Deventer, Van Meter, Van Saun, Whitten, Williams, Wilson, of Keokuk ; Wilson, of Washington ; Wood, of Clay ; Wood, of Story ; Wright, of Mills ; Wright, of Van Buren, and Mr. Speaker—Total, 87.

The nays were none.

Messrs. Davis, Davisson, Stow, and Tuttle—Total, 4.

Absent or excused—

Messrs. Appleton, Beatty, of Cedar ; Blackman, Booth, Hall, Hanan, Morrison, Renther and Skillin—Total, 9.

So the Resolution was adopted.

H. F. No. 145, A bill for an act to compensate and reimburse B. F. Jenkins, &c., was considered.

Mr. Wood, of Clay, moved that the bill be recommitted to Committee on Claims.

The motion prevailed.

H. F. No. 66, A bill for an act making persons selling, giving away, or otherwise disposing of intoxicating liquors, &c, was considered.

The amendment recommended by the committee was adopted.

Mr. Keables moved to amend by adding a new section.

The motion did not prevail.

Mr. Davis moved to amend as follows : Section 6. And for all judgments rendered for damages and costs under the provisions of this act against any person holding a permit to sell intoxicating liquors, the principals and sureties on his bond shall be jointly and severally liable.

The amendment was adopted.

Mr. Green moved to amend section 6 as follows: *Provided*, the provisions of this act shall not be construed to prohibit the manufacture and sale of wine and beer or cider.

Mr. Hilton offered a substitute for the bill, which did not prevail.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER :—I am instructed to inform your honorable body that the Senate has passed the following resolution, in which the concurrence of the House is asked :

Resolution in relation to the consideration of the Code.

Resolution herewith submitted.

C. V. GARDNER, *Second Ass't. Secretary.*

Mr. Leahy moved to amend the amendment by striking out the word "restrict" and insert "prohibit."

The motion prevailed.

The amendment to section six was adopted.

Mr. Green moved to amend as follows: All acts and parts of acts inconsistent with this act are hereby repealed, and all debts contracted under the present act shall be collectable in the same manner as provided by law for the collection of other debts.

Mr. Teale moved to amend the amendment by striking out all after the word "repealed."

The motion prevailed.

Mr. Evans moved to re-commit to Committee on Suppression of Intemperance.

The motion prevailed.

Mr. Close submitted a report from the Committee on Institutions for the Blind, which was placed on file and ordered printed.

## REPORT OF COMMITTEE.

Mr. Van Deventer, from Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER :—The Committee on Enrolled Bills ask leave to report that they have examined the following bill, and find the same correctly enrolled:

H. F. No. 270, A bill for an act to legalize the incorporation of the town of Corning, and the acts of the officers and town council thereunder.

J. VAN DEVENTER, *Chairman.*

Mr. Van Deventer, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER :—The Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bills, viz :

S. F. No. 131, An act to regulate appeals to the Supreme Court of Iowa.

Also, S. F. No. 101, An act to legalize the acts of the independent school district of Ossian.

Also, S. F. No. 113, An act to amend chapter 11, laws of the Fourteenth General Assembly of the State of Iowa.

Also, H. F. No. 230, An act to legalize the incorporation of the independent school district of Stanwood.

Also, H. F. No. 123, An act providing the manner in which the fees of jurymen and county expenses shall be paid in cases of change of venue.

J. VAN DEVENTER, *Chairman.*

Mr. Merrell moved that when this House adjourn it adjourn till to-morrow morning at 9 o'clock.

The motion prevailed.

On motion of Mr. Goodspeed the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, March 8, 1872. }

The House convened pursuant to adjournment.

The Speaker in the chair.

Prayer by Hon. I. Blakely.

Journal of yesterday read and approved.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER :—I am directed to inform your honorable body that the Senate has passed the following bills, in which the concurrence of the House is asked :

S. F. No. 74, A bill for an act to enlarge the powers of school directors, and increase the efficiency of public schools.

Also, S. F. No. 76, A bill for an act to amend sections 1 and 2 of chapter 54, of the acts of the Thirteenth General Assembly.

Also, S. F. No. 79, A bill for an act to amend chapter 89, of the laws of the Thirteenth General Assembly, in relation to equalization of assessments by township trustees and city and town councils.

Also, S. F. No. 46, A bill for an act creating the thirteenth judicial district, dividing the same into circuits, and providing for the election of district and circuit judges, and a district attorney therein, and changing the boundaries of the 3d, 4th, and 5th judicial districts, and fixing the boundaries of the circuits therein.

Also, S. F. No. 175, A bill for an act in relation to county records, and to repeal section 2258, of the revision of 1860, and enact a substitute therefor.

I am also directed to inform your honorable body that the Senate has passed the following bills without amendment:

Substitute for H. F. No. 6, A bill for an act to amend chapter 79, of the Revision of 1860, creating mechanics' liens, and to secure to mechanics and laboring men upon internal improvements their wages.

Also, H. F. No. 13, A bill for an act defining the meaning of the term newspaper, as used in chapter 118, of the acts of the Eleventh General Assembly.

Also, H. F. No. 141, A bill for an act to repeal certain laws relating to the prosecution of certain claims against the Federal Government.

Also, H. F. No. 171, A bill for an act authorizing the indexes to the real and chattel mortgage records in Johnson county, to be copied into new books, and giving to said copies the full force and effect of the originals.

J. A. T. HULL, *Secretary*.

Mr. Davis moved to reconsider the vote by which the House refused to order engrossed H. F. No. 85.

Motion passed on file.

#### PETITIONS.

Mr. Lee presented a petition from citizens of Warren county praying for a law regulating tariff on railroads.

Referred to Committee on Railroads.

Mr. Gear presented a petition from citizens of Des Moines county, praying for a law taxing railroads as other property.

Referred to Committee on Railroads.

Mr. Stewart presented a petition from citizens of Lee county, praying for the enactment of the Ohio liquor law.

Referred to Committee on the Suppression of Intemperance.

Mr. Williams presented a petition from citizens of Marshall county, praying for the enactment of a more stringent liquor law.

Referred to Committee on Suppression of Intemperance.

Mr. Secor presented two petitions from citizens of Winnebago county, praying for a law for the protection of fur bearing animals.

Referred to Committee on Agriculture.

Mr. Ballinger presented a petition from citizens of Lee county against a more stringent liquor law.

Referred to Committee on the Suppression of Intemperance.

Mr. Whitten presented a petition from physicians of Black Hawk

county, remonstrating against all appropriations in aid of the medical department of the State University.

Referred to Committee on Medical Institutions.

#### REPORTS OF COMMITTEES.

Mr. Olose, from Committee on Agriculture, submitted the following report:

MR. SPEAKER :—Your Committee on Agriculture, to whom was referred H. F. No. 86, A bill for an act to amend chapter 61 of the Revision of 1860, regulating fences, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass with the following amendments: Strike out sections one, two and four, and strike out the word "pending," in the second line, and insert the word "commenced."

Also, S. F. No. 8, A bill for an act to enable civil townships to adopt the provisions of chapter 26 of the laws of the Thirteenth General Assembly, entitled "An act to restrain stock from running at large," beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

CLOSE, *Chairman.*

Mr. Lee, from Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER :—The Committee on Engrossed Bills ask leave to report that they have examined the following bills, and find the same correctly engrossed:

H. F. No. 144, A bill for an act to release the interest of the State of Iowa in certain lots in Estherville, Emmet county, to Isaac Skinner, Jr.

Also, Substitute for H. F. No. 9, A bill for an act for the protection of the life and health of miners.

JOHN M. LEE, *for Committee.*

Mr. Pratt, from Committee on Judiciary, submitted the following report:

MR. SPEAKER :—Your Committee on Judiciary, to whom was referred H. F. No. 251, A bill for an act to amend section 3040 of Revision of 1860, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended by inserting after the word "juror," in the second line from the bottom, the words "at a prior term of court," and by adding to section one the words, "or having served as a talisman at the same

term," and by adding the following words: "8th, Being over the age of sixty years," and when so amended that it do pass.

Also, H. F. No. 206, A bill for an act to amend section one, of chapter 38, of the acts of the Tenth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended by the adoption of the substitute herewith reported, and recommend that said substitute do pass.

Also, H. F. No. 201, A bill for an act to amend section 4481 of the Revision of 1860, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, H. F. No. 154, A bill for an act to amend chapter 123 of the Revision of 1860, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

H. O. PRATT, *Chairman.*

Mr. Newbold, from Committee on Schools, submitted the following report:

MR. SPEAKER:—Your Committee on Schools, to whom was referred H. F. No. 314, A bill for an act to amend section one, chapter 28, acts of the Twelfth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also, The petition of George Jackson, and others, citizens of Franklin township, Des Moines county, Iowa, asking for the organization of a school district near Sperry, in said county, beg leave to report that they have the same under consideration, and have instructed me to report the same back to the House with the accompanying papers, with the recommendation that the whole subject be indefinitely postponed.

J. G. NEWBOLD, *Chairman.*

By leave Mr. Pratt called up the resolution on the Speaker's table, in relation to the adoption of the report of the Code Commissioners.

The resolution was adopted.

On motion of Mr. Pratt the resolution passed on file yesterday on the same subject, was indefinitely postponed.

#### INTRODUCTION OF BILLS.

Mr. Witten introduced H. F. No. 321, A bill relating to the power of the Board of Regents of the State University.



Read a first and second time, and referred to Committee on Medical Institutions.

Mr. Hanson introduced H. F. No. 322, A bill to amend chapter 177, laws of the Thirteenth General Assembly.

Read a first and second time, and referred to Committee on Agriculture.

Mr. Keables introduced H. F. No. 323, A bill for an act to give to the people of the whole State some of the advantages of competition between railroads.

Read a first and second time, and referred to Committee on Railroads, and ordered printed.

Mr. Johnston introduced H. F. No. 324, A bill for an act to legalize the acts of a board of appraisers to appraise certain school lands, &c.

Read a first and second time, and referred to Judiciary Committee.

Mr. Heberling introduced H. F. No. 325, A bill entitled an act to protect holders of policies of life insurance, &c.

Read a first and second time, and referred to Committee on Insurance, and ordered printed.

Mr. Danforth introduced H. F. No. 326, A bill for an act regulating the construction of wire fences.

Read a first and second time, and referred to Committee on Agriculture.

#### RESOLUTIONS.

Mr. Leahy offered the following resolution, which was not adopted:

*Resolved*, That all divines occupying seats on the floor of this House are hereby invited to participate with the divines from the city of Des Moines in opening the business of this House with prayer, and that they be allowed the same compensation therefor.

Mr. Ericson offered the following resolution, which was adopted:

*Resolved*, That the Committee on Schools be, and is hereby instructed to inquire into the expediency of allowing all persons to attend our common schools without regard to their age, free of tuition. Said committee to report by bill or otherwise.

Leave was granted to Mr. Wood of Clay, to present a memorial from W. H. Brown, chairman of the board of supervisors of Emmett county in relation to destitution by reason of conflagration in that and adjoining counties.

Referred to Committee on Ways and Means.

#### MESSAGES ON THE SPEAKER'S TABLE.

S. F. No. 76, A bill for an act to amend sections 1 and 2, chapter

54, acts of the Thirteenth General Assembly, &c., was taken up and read a first and second time, and referred to Judiciary Committee.

S. F. No. 175, A bill for an act in relation to county records, was taken up and read a first and second time, and referred to Committee on County and Township Organizations.

S. F. No. 74, A bill for an act to enlarge the powers of school directors, &c., was taken up and read a first and second time, and referred to Committee on Schools.

S. F. No. 46, A bill for an act creating the Thirteenth Judicial District, was taken up and read a first and second time, and referred to Judiciary Committee.

S. F. No. 79, A bill for an act to amend chapter 89, laws of the Thirteenth General Assembly, &c., was taken up, read a first and second time and referred to Committee on County and Township Organizations.

Leave was granted to Mr. Pratt to submit the following report:

MR. SPEAKER:—Your Committee on the Judiciary, to whom was referred H. F. No. 42, A bill for an act to amend section 781 of the Revision of 1860, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended by the adoption of the substitute herewith reported, and recommend that the substitute do pass.

H. O. PRATT, *Chairman.*

Mr. Ainsworth, from Committee on Judiciary, submitted the following report:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 280, A bill for an act to enable circuit judges to accept bonds of county officers in certain cases, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with a substitute therefor, and recommend the passage of the substitute.

L. L. AINSWORTH, *of Committee.*

By leave Mr. Keables called up H. F. No. 280, A bill for an act to enable circuit judges to accept bonds of county officers, &c.

The bill, with accompanying substitute, was considered.

The substitute was adopted.

Mr. Keables moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Ballinger, Beatty of Cedar; Beatty of Jasper; Beresheim, Bergh, Blackman, Blake, Blakely, Bonewitz, Butler, Cadwell, Caldwell, Campbell, Cardell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Crawford, Danforth, Davis, Davisson, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hilton, Hopkirk, Hovey, Irish, Johnaton, Keables, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, Merrell, Miller, Mills, Morrison, Newbold, Peet, Perkins, Pratt, Reed, Rice, Rhlfs, Rule, Sandry, Schweer, Secor, Stedman, Stewart, Stow, Struthers, Tasker, Teale, Tufts, Van Deventer, Van Meter, Van Saun, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 86.

The nays were Mr. Close.

Absent or excused—

Messrs. Appleton, Bliss, Booth, Hanan, Hewitt, Kasson, McCoy, O'Donnell, Paul, Renther, Skillin, Tuttle, and Whitten—Total, 13.

So the bill passed and the title was agreed to.

Leave of absence was granted to Messrs. Paul and O'Donnell.

Leave was granted to Mr. Caldwell to submit the following report:

MR. SPEAKER:—Your Committee on Railroads, to whom was referred H. F. No. 279, A bill for an act to tax railroad property, and regulating such taxation and releasing certain taxation herein named, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the accompanying substitute, which they recommend do pass.

S. T. CALDWELL, *Chairman.*

#### BILLS ON SECOND READING.

Mr. Hall called up H. F. No. 75, A bill for an act providing for the construction of public bridges.

The bill was considered.

Mr. Close moved to strike out in 3d line of section 1, "*two miles*" and insert "*three miles.*"

The motion prevailed.

The bill was ordered engrossed for a third reading.

Mr. Hall moved that the rule be suspended, the bill considered engrossed and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Ballinger, Blake, Cadwell, Campbell, Cardell, Clark, of Benton; Close, Crawford, Davis, Day, Dayton, Dumont, Duncan, Duncombe, Ericson, Evans, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hovey, Irish, Johnston, Kasson, Litzenberg, Maxwell, McAllister, McClure, Merrell, Miller, Reed, Rohlf, Rule, Sandry, Schweer, Secor, Stedman, Stewart, Tuttle, Van Deventer, Van Saun, Williams, Wilson, of Washington; Wood, of Olay; Wood, of Story; Wright, of Van Buren, and Mr. Speaker—Total, 51.

The nays were—

Messrs. Beatty, of Cedar; Beatty, of Jasper; Beresheim, Blackman, Blakely, Bliss, Bonewitz, Butler, Carver, Christoph, Clarke, of Iowa; Danforth, Draper, Durham, Ellsworth, Flenniken, Hilton, Hopkirk, Leahy, Lee, McCoy, Mills, Morrison, Newbold, Peet, Perkins, Rice, Stow, Struthers, Tasker, Teale, Tufts, Van Meter, Whitten, Wilson, of Keokuk, and Wright, of Mills—Total, 36.

Absent or excused—

Messrs. Appleton, Bergh, Booth, Caldwell, Davisson, Hanan, Hewett, Keables, O'Donnell, Paul, Pratt, Renther, and Skillin,—Total, 13.

So the bill passed and the title was agreed to.

By leave, Mr. Van Deventer introduced H. F. No. 327, A bill for an act requiring cities to pay damages in certain cases.

Read a first and second time, and referred to a special committee to be constituted by the Speaker.

A message from the Governor through his private secretary, Wm. H. Fleming, presented a communication from the Auditor of State on the subject of Life and Fire Insurance, which was passed on file.

Mr. Van Deventer, from Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills ask leave to report that they have examined the following bills and find the same correctly enrolled:

H. F. No. 118, A bill for an act to provide that the trustees of the incorporated town of Grinnell may have control of Hazlewood Cemetery.

Also, S. F. No. 68, A bill for an act to legalize the acts of Wm. Henry Price, as auditor of Carroll County, Iowa, in taking and certifying acknowledgments to certain school fund mortgages and other conveyances of real estate.

Also, S. F. No. 140, A bill for an act to legalize the incorporation of the town of Newton and the acts of the officers acting thereunder.

Also, S. F. No. 49, A bill for an act giving the consent of the

legislature of the State of Iowa to the purchase by the United States of certain real estate.

Also, S. F. No. 72, A bill for an act to change the time of holding the District Courts in the 9th judicial district of Iowa.

J. VAN DEVENTER, *Chairman.*

The hour having arrived for the consideration of the special order, H. F. No. 279, A bill for an act to tax railroad property, &c., Mr. Duncombe moved to take up the special order.

Mr. Duncombe moved that the substitute be adopted.

Mr. Hall offered a substitute for the substitute.

On motion of Mr. Stow the House adjourned.

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TWO O'CLOCK, P. M.

House called to order by the Speaker.

The House resumed the consideration of the special order, the amendment to the substitute for H. F. No. 279.

On motion of Mr. Perkins, the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 9, 1872. }

House convened pursuant to adjournment.

The Speaker, in the Chair.

Prayer by Rev. T. O. Rice.

The journal of yesterday was read and approved.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following bills, and joint resolutions, in which the concurrence of the House is asked :

S. F. No. 43, A bill for an act to provide for an argument term of the Supreme Court at Council Bluffs.

Also, substitute for S. F. No. 71, A bill for an act to legalize the sale of certain swamp lands in Carroll county to E. F. Borgan, William Bowers, and Robert Mulloy.

Also, S. F. No. 88, A bill for an act to amend chapter 53 of the

Revision of 1860, so as to permit corporations of an academical character to elect officers without the State, in certain cases.

Also, S. F. No. 105, A bill for an act legalizing the acts of the board of trustees of New Albany township, Story county, Iowa.

Also, Joint resolution proposing to amend the constitution of the State of Iowa, and to provide for its reference and publication.

Also, resolutions on the death of Hon. M. B. Mulkern, late Senator from the Thirty-Fifth Senatorial District.

I am also directed to inform your honorable body that the Senate has passed the following bills without amendment :

Substitute for H. F. No. 97, A bill for an act to protect feeders of stock.

Also, H. F. No. 40, A bill for an act to authorize incorporated towns to aid in the construction and repair of roads leading thereto.

I am also directed to inform your honorable body that the Senate refuses to adopt the report of the Committee of Conference on the disagreeing vote of the two Houses on Senate amendments to House amendments to substitute for S. F. No. 1, and ask the appointment of a second Conference Committee on same subject, and has appointed Senators Campbell, Burke, and Richards, as such committee on the part of the Senate.

J. A. T. HULL, *Secretary*.

Mr. Davisson moved that a committee of conference on the part of the House to confer with a like committee of the Senate on S. F. No. 1, be appointed.

The motion prevailed.

The Speaker appointed as such committee Messrs. Davisson, Ainsworth, and Secor.

Leave of absence was granted to Messrs. Williams, Campbell, and Hovey.

The question recurring on the special order, substitute for H. F. No. 279, A bill to tax railroads, &c., the substitute, with the amendment thereto, was further considered.

Mr. Lee, from Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER:—The Committee on Engrossed Bills ask leave to report that they have examined the following bills, and find the same correctly engrossed :

H. F. No. 24, A bill for an act to provide for the establishment and maintenance of free public libraries in cities and incorporated towns.

Also, H. F. 280, A bill for an act to authorize circuit judges to approve the bonds of county officers in certain cases.

JOHN M. LEE, *for Committee*.

Mr. Van Deventer, from Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills, ask leave to report that they have examined the following bills, and find the same correctly enrolled :

H. F. No. 141, A bill for an act to repeal certain laws relating to the prosecution of certain claims against the Federal Government.

Also, H. F. No. 13, A bill for an act defining the meaning of the term "newspaper."

Also, H. F. No. 171, A bill for an act authorizing the recorder to copy certain indexes in Johnson county, Iowa.

Also, Substitute for H. F. No. 6, A bill for an act to amend chapter 79 of the Revision of 1860, creating mechanics' liens, &c.

Also, H. F. No. 40, A bill for an act to authorize incorporated towns to appropriate a portion of the road tax to aid in the making and repairing of roads.

Also, Substitute for H. F. No. 97, A bill for an act to protect feeders of stock.

J. VAN DEVENTER, *Chairman.*

On the adoption of the amendment to the substitute, Mr. Gear and Mr. Irish called for the yeas and nays, which were as follows:

The yeas were—

Messrs. Ballinger, Blakely, Carver, Christoph, Crawford, Day, Dumont, Duncan, Evans, Gear, Goodspeed, Green, Hall, Heberling, Hopkirk, Irish, O'Donnell, Peet, Reed, Schweer, Stewart, Stow, Tufts, Whitten, Wood, of Story—Total, 25.

The nays were—

Messrs. Ainsworth, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Bliss, Bonewitz, Butler, Cadwell, Caldwell, Cardell, Clark, of Benton; Clarke, of Iowa; Close, Danforth, Davis, Dayton, Draper, Duncombe, Durham, Ellsworth, Ericson, Flenniken, Freeman, Hanson, Hilton, Johnston, Kasson, Keables, Leahy, Lee, Maxwell, McAllister, McClure, McCoy, Merrell, Mills, Morrison, Newbold, Perkins, Pratt, Rice, Rohlf, Rule, Sandry, Secor, Stedman, Struthers, Tasker, Teale, Tuttle, Van Deventer, Van Meter, Van Saun, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 62.

Absent or excused—

Messrs. Appleton, Booth, Campbell, Davisson, Hanan, Hewett, Hovey, Litzenberg, Miller, Paul, Reuther, Skillin, and Williams—Total, 13.

So the amendment was lost.

By leave Mr. Hall introduced H. F. No. 328, A bill for an act to provide a more speedy settlement of swamp land claims, &c.

Read a first and second time, and referred to Committee on Public Lands.



On motion of Mr. Gear, H. F. No. 22, A bill for an act to improve streets and alleys, was made the special order for Monday, 11th of March, at 10 o'clock.

By leave Mr. Caldwell introduced H. F. No. 229, A bill for an act to legalize the organization of the independent school district of Alpine, &c.

Read a first and second time, and referred to Committee on Schools.

By leave Mr. Ainsworth presented a petition from citizens of Fayette county, remonstrating against the legalization of certain school district organizations.

Referred to Committee on Judiciary.

By leave Mr. Teale introduced H. F. No. 330, A bill for an act to amend article 7, chap. 22, of the Revision of 1860.

Read a first and second time, and referred to Committee on Agriculture.

Leave was granted to Mr. Duncan to introduce H. F. No. 331, A bill for an act to repeal sec. 46, chap. 109, acts Thirteenth General Assembly, &c.

Read a first and second time, and referred to Committee on Insurance.

Leave of absence was granted to Mr. Wilson, of Washington, until Tuesday.

On motion of Mr. Close the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 11, 1872. }

House convened pursuant to adjournment.

The Speaker in the chair.

Prayer by Rev. Turnbull.

The journal of yesterday was read and approved.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following bills, in which the concurrence of the House is asked :

S. F. No. 84, A bill for an act to amend an act to protect game, passed April 7th, 1868.

Also, S. F. No. 117, A bill for an act to promote the science of medicine and surgery in the State of Iowa.

I am also directed to inform your honorable body that the Senate has passed the following bills without amendment:

H. F. No. 144, A bill for an act to release the interest of the State of Iowa in certain lots in Estherville, Emmet county, to Isaac Skinner, Jr.

Also, substitute for H. F. No. 280, A bill for an act to authorize Circuit Judges to approve the bonds of county officers; in certain cases.

J. A. T. HULL, *Secretary*.

The Speaker announced the business before the House, the consideration of substitute for H. F. No. 279, A bill for an act to tax railroads, &c.

By leave Mr. Pratt presented a memorial from the Iowa State Board of Real Estate Agents in relation to the Board of Immigration.

Referred to Committee on Ways and Means.

By leave Mr. Beresheim presented a petition from physicians of Pottawattamie, remonstrating against any appropriation in aid of the medical department of the State University.

Referred to Committee on Medical Institutions.

By leave Mr. Leahy introduced the following resolution:

*Be it resolved by the House of Representatives, the Senate concurring*, That the Joint Committee appointed to examine the foundation of the new capitol are hereby authorized to employ a shorthand reporter to aid them in their investigation, should they deem such assistance necessary to the speedy performance of the duty assigned them.

The resolution was adopted.

By leave Mr. Leahy offered the following resolution:

*Resolved by the House of Representatives*, That the Sergeant-at-arms is hereby directed to execute all papers and notices he may receive from the Joint Committee appointed to examine and report upon the foundation of the new capitol.

The resolution was adopted.

By leave Mr. Pratt introduced H. F. No. 332, A bill for an act to provide a system of normal schools for the State of Iowa.

Read a first and second time, and referred to Committee on Normal Schools.

By leave Mr. Goodspeed introduced H. F. No. 333, A bill for an act to determine the weight per bushel of certain undried fruits named herein.

Read a first and second time, and referred to Committee on Horticulture.

By leave Mr. Stow called up H. F. No. 175, A bill for an act providing for the organization of independent school districts, which was made the special order for March 15th, at eleven o'clock, A. M.

By leave, Mr. Bergh called up S. F. No. 88, A bill for an act to amend chapter 53 of the Revision of 1860, &c.

Read a first and second time, and referred to Committee on Judiciary.

Mr. Whitten presented a petition from physicians and surgeons of Scott county, also of Crawford county, also of Tama county, also of Appanoose county, also of Dallas county, also of Warren county, also of Harrison county, also of Worth county, also of Page county, all remonstrating against any appropriation in aid of the medical department of the State University.

Referred to Committee on Medical Institutions.

Mr. Green presented a petition from citizens of Scott county asking aid for State institutions, including medical department of State University.

Referred to Committee on Medical Institutions.

Mr. Kasson presented a petition from citizens of Polk county asking for a law regulating freights on railroads.

Referred to Committee on Railroads.

The question recurring on the consideration to substitute for H. F. No. 279, Mr. Kasson moved to amend: After the word "superintendent," in the third line of section 2, add "and of such other officers as the census board may designate."

The amendment was adopted.

Mr. Kasson moved to further amend section 2 by striking out the word "sworn" in 4th line of said section, and inserting after the word statement, "signed and sworn to by such officer or officers."

The amendment was adopted.

Mr. Kasson moved to amend by adding to 13th line in section 2, "and such other facts as the census board in writing may require."

The amendment was adopted.

Mr. Gear moved to amend by inserting after the word "State," in the 10th line in section 2, "and the cash value of the same."

On the adoption of the amendment, Mr. Irish and Mr. Campbell demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Ainsworth, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Blakely, Campbell, Cardell, Carver, Christoph, Clarke, of Iowa; Crawford, Danforth, Day, Dayton, Durham, Evans, Gear, Goodspeed, Green, Hall, Hopkirk, Irish, Johnston, Kasson, Lee, McAllister, McCoy, Newbold, O'Donnell, Reed, Rule, Sandry, Schweer, Stewart, Stow, Tufts, and Van Meter—Total, 37.

The nays were—

Messrs. Appleton, Beresheim, Bergh, Blackman, Bliss, Bonewitz, Butler, Cadwell, Caldwell, Clark, of Benton; Close, Davis, Davisson, Dumont, Duncan, Duncombe, Ellsworth, Ericson, Flenniken, Freeman, Hanson, Hilton, Leahy, Maxwell, McClure, Merrell, Miller, Mills, Peet, Perkins, Pratt, Rice, Rohlf, Secor, Stedman, Struthers, Tasker, Teale, Tuttle, Van Deventer, Van

Saun, Whitten, Wilson, of Keokuk; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 48.

Absent or excused—

Messrs. Blake, Booth, Draper, Hanan, Heberling, Hewett, Hovey, Keables, Litzenberg, Morrison, Paul, Reuther, Skillin, Williams, and Wilson, of Washington—Total, 13.

So the amendment was lost.

Mr. Gear moved to amend section two by adding after the word State in eleventh line, "the return shall show the average amount of rolling stock in use on the company line in this State during the year for which the return is made."

The amendment was adopted.

Mr. Carver moved to amend section 2 by inserting after the word company in the eighth line the words, "*with a detailed statement of all property of every kind located.*"

The amendment was adopted.

Mr. Kasson moved to amend section 3 by striking out of 1st line "*at the same ratio of value.*"

The amendment prevailed.

Mr. Duncombe moved to strike out the word "assessed" in the 1st line of 3d section.

The motion prevailed.

Mr. Kasson moved to strike out of 4th line of section 3, the words "held for use," and insert, "exclusively used," also, to strike out of the same line the words "of each."

The motion prevailed.

Mr. Kasson moved to strike out of 5th line of same section the word "commissioners" and insert the words *Census Board*.

The motion prevailed.

Mr. Kasson moved to strike out of 6th line of section 3 word "then" after the words "January 1st."

The motion prevailed.

Mr. Kasson moved to amend the 3d section by adding after the word "part" in the 6th line the words, "*the usual market value of its shares.*"

The motion did not prevail.

#### MESSAGE FROM THE GOVERNOR.

The Governor, by his private secretary, Wm. H. Fleming, presented a message, which was placed on file.

The hour for the special order, the consideration of H. F. No. 22 having arrived, Mr. Gear moved to take up the special order.

The motion did not prevail.

Mr. Kasson moved to strike out the words "earnings" as the same occurs in the ninth and tenth line of section 3, and insert

the words "*business*," and to strike out of the 10th line the word "*whole*."

The motion prevailed.

Mr. O'Donnell moved to amend section three by inserting after the word "personal" in the 4th line the words "*within the right of way, included within 50 feet of each side of the centre of the track*."

On the adoption of the amendment Mr. O'Donnell demanded the yeas and nays which were as follows:

The yeas were—

Messrs. Ballinger, Blakely, Campbell, Carver, Christoph, Crawford, Day, Dayton, Gear, Goodspeed, Green, Hall, Hanson, Hopkirk, Irish, Newbold, O'Donnell, Peet, Reed, Rohlf, Sandry, Schweer, Stewart, Stow and Whitten—Total, 24.

The nays were—

Messrs. Ainsworth, Appleton, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Bliss, Bonewitz, Butler, Cadwell, Caldwell, Cardell, Clark, of Benton; Clarke, of Iowa; Close, Danforth, Davis, Davisson, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Hanson, Hilton, Johnston, Keables, Leahy, Lee, Maxwell, McAllister, McClure, McCoy, Merrell, Miller, Mills, Perkins, Pratt, Rice, Secor, Stedman, Struthers, Tasker, Teale, Tufts, Tuttle, Van Deventer, Van Meter, Van Saun, Wilson of Keokuk; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren and Mr. Speaker—Total, 61.

Absent or excused—

Messrs. Blake, Booth, Hanan, Heberling, Hewett, Hovey, Kasson, Litzenberg, Morrison, Paul, Reuther, Rule, Skillin, Williams, and Wilson, of Washington—Total, 15.

So the amendment was lost.

Mr. Irish moved to strike out of section 3, all after the word "railroad," in the fifth line.

On the adoption of the amendment, Mr. Irish and Mr. Blakely demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Ballinger, Blakely, Campbell, Christoph, Clark, of Benton; Crawford, Gear, Hall, Hopkirk, Irish, McAllister, O'Donnell, Schweer, Stewart, and Stow—Total, 14.

The nays were—

Messrs. Ainsworth, Appleton, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Bliss, Bonewitz, Butler, Cadwell, Caldwell, Carver, Clarke, of Iowa; Close, Danforth, Davis, Davisson, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Goodspeed, Green, Hanson, Hilton, Johnston, Kasson, Keables, Leahy, Lee, Maxwell, McClure, McCoy, Merrell, Miller, Mills, Newbold, Peet, Perkins, Pratt, Reed, Rice, Rohlf, Rule, Sandry, Secor,

Stedman, Struthers, Tasker, Teale, Tufts, Van Deventer, Van Meter, Van Saun, Whitten, Wilson, of Keokuk; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total 71.

Absent or excused—

Messrs. Blake, Booth, Cardell, Hanan, Heberling, Hewett, Hovey, Litzenberg, Morrison, Paul, Reuther, Skillin, Tuttle, Williams, and Wilson of Washington—Total, 15.

So the amendment was lost.

Mr. Clark, of Benton, moved to amend section 3, by adding at the end of the section, the following: *Provided always*, that all roads and branches of roads operated by one corporation within this State shall be considered as one road for the purposes of this act.

On motion of Mr. Perkins the House adjourned.

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TWO O'CLOCK, P. M.

House called to order by the Speaker.

#### REPORTS OF COMMITTEES.

Mr. Lee, from Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER:—The Committee on Engrossed Bills ask leave to report that they have examined the following bills, and find the same correctly engrossed:

H. F. No. 125, A bill for an act to legalize the organization and issuing of the bonds of the independent school district of New Cherokee, Cherokee county, Iowa.

Also, H. F. No. 269, A bill for an act to legalize the annexation of territory to the city of Pella, Iowa, the abandonment by said city of its special charter, and of the other acts of the authorities of said city.

JOHN M. LEE, *for Committee.*

The question recurring on the amendment offered by Mr. Clark, of Benton, the amendment did not prevail.

Mr. Stow moved to strike out of section three all from the word "stock" to the word "personal" inclusive, in third and fourth lines of said section.

On the adoption of the amendment, Mr. Irish called for the yeas and nays, which were as follows:

The yeas were—

Messrs. Ballinger, Blakely Carver, Christoph, Crawford, Day,

Duncan, Ericson, Gear, Goodspeed, Green, Hall, Hopkirk, Irish, O'Donnell, Peet, Reed, Sandry, Schweer, Stewart and Stow—Total, 21.

The nays were—

Messrs. Ainsworth, Appleton, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Bliss, Bonewitz, Butler, Cadwell, Caldwell, Cardell, Clark, of Benton; Clarke, of Iowa; Close, Danforth, Davis, Dayton, Draper, Dumont, Duncombe, Durham, Ellsworth, Evans, Flenniken, Freeman, Hanson, Hilton, Johnston, Kasson, Keables, Leahy, Lee, Maxwell, McAllister, McClure, McCoy, Merrell, Newbold, Perkins, Pratt, Rice, Rohlf, Rule, Secor, Stedman, Struthers, Tasker, Teal, Tufts, Van Deventer, Van Meter, Van Saun, Whitten, Wilson of Keokuk; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total 61.

Absent or excused—

Messrs. Blake, Booth, Campbell, Davisson, Hanan, Heberling, Hewett, Hovey, Litzenberg, Miller, Mills, Morrison, Paul, Reuther, Skillin, Tuttle, Williams, and Wilson, of Washington—Total, 18.

So the amendment was lost.

Mr. Reed moved to add after the word "earnings," in the 6th line of section 3, the words "and cash value."

The motion did not prevail.

Mr. Davis moved to amend section four as follows:

After the word "completed," in the first line of said section, insert the words "Shall distribute the amount thereof among the respective counties through which the road so assessed may be situated, in proportion to the number of miles situated in said county bears to the whole length of road in this State and."

The motion did not prevail.

Mr. Leahy moved to insert after the word "assessment," in the third line of section three, the words "per mile."

The motion prevailed.

Mr. Duncombe moved to insert after the word "assessment," in the first and fourth lines of third section, the words "and valuation."

The motion did not prevail.

Mr. Carver moved to amend section four by inserting in the third line, after the word's "per mile" the words "within said county."

The motion did not prevail.

Mr. Kasson moved to amend section four by inserting after the word "property," in the third line, the words "and the amount applicable to such county."

The motion did not prevail.

Mr. Hall moved to amend section four by striking out "per



mile," and inserting "upon each of said railroads for each of said counties."

The motion did not prevail.

Mr. Freeman moved to amend as follows: Add to section three "which amount shall be leased upon all the articles of value as enumerated in this act, giving to each county its just proportion of such valuation."

On the adoption of the amendment, Mr. Duncombe and Mr. Irish demanded the yeas and nays, which were as follows:

The yeas were--

Messrs. Ainsworth, Ballinger, Beatty, of Cedar; Beresheim, Blakely, Cadwell, Carver, Christoph, Crawford, Day, Dayton, Evans, Freeman, Gear, Goodspeed, Green, Hall, Hopkirk, Irish, Kasson, McAllister, O'Donnell, Peet, Reed, Rohls, Rule, Sandry, Schweer, Stewart, Stow, Tufts, Whitten, and Wood, of Story—Total, 33.

The nays were--

Messrs. Appleton, Beatty, of Jasper; Bergh, Blackman, Bliss, Bonewitz, Butler, Caldwell, Clark, of Benton; Clarke, of Iowa; Close, Danforth, Davis, Davisson, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Flenniken, Hanson, Hilton, Johnston, Keables, Leahy, Lee, Maxwell, McClure, McCoy, Merrell, Miller, Newbold, Perkins, Pratt, Secor, Stedman, Struthers, Tasker, Teal, Tuttle, Van Deventer, Van Meter, Van Saun, Wilson, of Keokuk; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 50.

Absent or excused—

Messrs. Blake, Booth, Campbell, Cardell, Hanan, Heberling, Hewitt, Hovey, Litzenberg, Mills, Morrison, Paul, Reuther Rice, Skillin, Williams, and Wilson, of Washington—Total, 13.

So the amendment was lost.

Mr. Kasson moved to amend section 5 by inserting in 4th line, "applicable to each taxing district aforesaid."

The motion did not prevail.

Mr. Green moved to amend section 5 by adding to said section, "and the amount due each city or incorporated town under the provisions of this act, shall be paid over, when collected by the county treasurer, to the treasurer of said city or town."

The motion prevailed.

Mr. Carver moved to amend section 5 as follows: After the word "by," in 4th line, strike out the words "*a pro rata*," and insert the word "the;" and insert in the 5th line, before the word "amount" the word "relative," and add to the 6th line the words "in said county."

The motion did not prevail.

Mr. Freeman moved to amend section 5, as amended, by adding to the same the words "and the board of supervisors shall transmit a copy of said order to the city council or trustees of each city, or corporation, or township."

The motion prevailed.

Mr. Green moved to amend section 6, as follows: "And the taxes collected under this act shall be proportioned as the value of taxable railroad property in each city or incorporated town is to the whole taxable railroad property within the limits of such county."

The motion did not prevail.

Mr. Kasson moved to amend section 6 by inserting after the word "rates," in the first line, the words "by the same officers."

The motion prevailed.

Mr. Davis moved to amend section 6 by inserting after the word "such," in second line, the word "counties."

The motion prevailed.

Mr. Kasson moved to amend section 7 by adding at the end of the second line thereof, "Whenever any taxes levied under this act shall become delinquent, the county, city or town treasurer having control of such delinquent taxes, shall proceed to collect the same in the same manner, and with the same right and power as a sheriff under execution, except that no process shall be necessary to authorize him to seize and sell engines, cars, or any other rolling stock, for the collection of said taxes."

The amendment was adopted.

Mr. Ainsworth moved to strike out the first sentence of section 8.

The motion prevailed.

Mr. Kasson moved to strike out of the third line of section 8, the words "held for use," and insert "exclusively used."

The amendment was adopted.

Mr. Dayton moved to add to section 8, after the words "subjected to," in the fourth line, the words "assessments and."

The motion prevailed.

Mr. Green moved to strike out section 9, pending the consideration of which the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 12th, 1872. }

House convened pursuant to adjournment.

The Speaker in the chair.

Prayer by Rev. Mr. Swope.

Journal of yesterday was read and approved.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bills, in which the concurrence of the House is asked:

S. F. No. 90, A bill for an act requiring that there shall be attached to locomotive engines on all the railroads of this State, a bell or steam whistle and requiring the same to ring or whistle in certain cases.

Also, S. F. No. 195, A bill for an act to legalize appropriations made, and county warrants issued by the board of supervisors of Bremer county, Iowa, for bridge purposes.

I am also directed to inform your honorable body that H. F. No. 249, A bill for an act to legalize the acts of the independent school district of Mason City, Cerro Gordo county, Iowa, has passed the Senate without amendment.

J. A. T. HULL, *Secretary*.

The Speaker presented a communication from the Governor on the subject of insurance, with accompanying bill, H. F. No. 334.

Read a first and second time, and referred to Committee on Insurance, and ordered printed.

Also, a communication in regard to Washington Monument.

Referred to Committee on Federal Relations.

Mr. Van Deventer, from Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that on the 11th day of March, instant, they presented to the Governor for his approval the following bills, viz:

S. F. No. 72, An act to change the time for holding the District Court in the Ninth Judicial District.

Also, S. F. No. 49, An act giving the consent of the Legislature of the State of Iowa to purchase certain real estate.

Also, S. F. No. 140, An act to legalize the incorporation of the town of Newton.

Also, S. F. No. 68, An act to legalize the acts of William Henry Price, as auditor of Carroll county Iowa.

Also, H. F. No. 118, An act to provide that the board of trustees of the incorporated town of Grinnell, may have the control of Hazlewood cemetery.

Also, H. F. No. 144, An act to release the interest of the State of Iowa in certain lots in Estherville, Emmet county, Iowa, to Isaac Skinner, Jr.

Also, H. F. No. 280, An act to authorize circuit judges to approve the bonds of county officers in certain cases.

J. VAN DEVENTER, *Chairman*.

By leave, Mr. Carver introduced H. F. No. 335, A bill for an

act to permanently locate the Iowa Reform School and to provide an institution for the reception of girls.

Read a first and second time, and referred to Committee on Reform School, and ordered printed.

By leave, Mr. Wilson of Keokuk, introduced H. F. No. 336, A bill for an act declaring the continuation of the incorporation of the town of Richland, and legalizing the election of officers thereof.

Read a first and second time, and referred to Committee on Incorporations.

By leave Mr. Reed introduced H. F. No. 337, A bill for an act in relation to county superintendent of public schools.

Read a first and second time, and referred to Committee on Schools.

By leave, Mr. O'Donnell offered the following resolution, which was adopted.

*Resolved*, The John Christoph be allowed \$89 as mileage to the present General Assembly.

By leave, Mr. Peet introduced H. F. No. 338, A bill for an act to divide counties into districts for the election of members of the board of supervisors.

Read a first and second time, and referred to Committee on County and Township Organizations.

By leave Mr. Rohlf's presented petition from citizens of Scott county, asking aid for State Institutions.

Referred to Committee on Medical Institutions.

By leave, Mr. Kasson presented a petition from citizens of Polk County, asking for a certain changes in the present game law.

Referred to Committee on Agriculture.

By leave, Mr. Gear presented petition from citizens of Des Moines County in regard to officers' fees.

Referred to Committee on Judiciary.

By leave, Mr. Beatty of Jasper, presented petitions from citizens of Jasper County in regard to the stock law.

Referred to Committee on Agriculture.

By leave, Mr. Van Deventer presented a petition from citizens of Clinton County, relating to division of townships.

Referred to Committee on County and Township Organizations.

By leave, Mr. Mills presented petition from citizens of Cass County in regard to the herd law.

Referred to Committee on Agriculture.

By leave, Mr. Hilton presented a petition from Monroe County, asking a change in section 8931, of the Revision of 1860.

Mr. Green presented a petition from citizens of Scott County, asking aid for State Institutions.

Referred to Committee on Medical Institutions.

By leave, Mr. Leahy presented a petition from citizens of Franklin County, asking that the producers of the State be protected by law from exorbitant charges of railroads.

Referred to Committee on Railroads.

By leave, Mr. Van Meter presented a petition from citizens of Madison and Dallas counties, asking for regulation of freight and passenger tariffs on Railroads.

Referred to Committee on Railroads.

By leave, Mr. Cadwell presented a petition from citizens of Harrison county asking for enactment of a law to protect the producers against the exorbitant charges of railroads.

Referred to Committee on Railroads.

Mr. Clark, of Benton, called up H. F. No. 240, A bill for an act to amend chapter 172, Laws of the Thirteenth General Assembly, which was made the special order for Friday, March 15th.

By leave, Mr. Teale presented a petition from citizens of Decatur county asking for change in the stock law.

Referred to Committee on Agriculture.

Mr. Caldwell called up H. F. No. 107, A bill for an act to enable townships, incorporated towns and cities, which have heretofore, or may hereafter vote a tax to aid in the construction of a railroad under the provisions of chapter 102, laws of Thirteenth General Assembly, to transfer and use such tax in aid of the construction of such railroad as the inhabitants of the township, city, or town voting the same may desire, which was made the special order for Tuesday, 10 o'clock A. M., March 19th.

The Speaker announced that the hour had arrived for the special order, it being H. F. No. 279, A bill for an act to tax railroad property, regulating such taxation, and reducing taxes herein named.

Mr. Caldwell moved that the special order of tariffs on railroads be postponed until next Thursday, at 10 o'clock A. M.

The motion prevailed.

Leave of absence was granted to Mr. Davisson.

The question recurring on the special order, on question to strike out section 9, Messrs. Irish and Blakely demanded the yeas and nays, which were as follows :

The yeas were—

Messrs. Ballinger, Blakely, Campbell, Carver, Christoph, Clarke, of Iowa; Crawford, Day, Draper, Duncan, Evans, Freeman, Gear, Goodspeed, Green, Hall, Hopkirk, Irish, Johnston, Kasson, McAllister, McCoy, Newbold, O'Donnell, Peet, Reed, Rohlf, Schweer, Stedman, Stewart, Stow, Van Meter, Van Saun, and Whitten—Total, 33.

The nays were—

Messrs. Ainsworth, Appleton, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Bliss, Bonewitz, Butler, Cadwell, Caldwell, Cardell, Clark, of Benton; Close, Dan-

forth, Davis, Dayton, Dumont, Duncombe, Darham, Ellsworth, Ericson, Flenniken, Hanson, Hilton, Keables, Leahy, Lee, Maxwell, McClure, Merrell, Miller, Mills, Perkins, Pratt, Rice, Rule, Sandry, Secor, Struthers, Tasker, Teale, Tufts, Van Deventer, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 54.

Absent or excused—

Messrs. Booth, Carver, Davisson, Hanan, Heberling, Howett, Hovey, Litzenberg, Morrison, Paul, Reuther, Skillin, and Tuttle—Total, 14.

So the motion to strike out did not prevail.

Mr. Campbell moved to strike out the word "and," in the second line of section ten, and insert "or," which was adopted.

Mr. Evans moved to amend by inserting after the word "case," in the first line of section eleven, the words "the proper officers of."

The motion to amend prevailed.

Mr. Irish moved to strike out "September next" in the third line of section twelve.

Adopted.

Mr. Green moved a *proviso* after section twelve as follows:

*Provided*, That no provision of this act shall be construed to prevent any city or incorporated town in this State, having railways within their corporate limits, from assessing and levying taxes on any and all real estate belonging to any railroad where such real estate is situate outside of the right of way of any such railroad; and for the purpose of preventing the railways in this State from exacting the amount of taxes levied under this act from the people by onerous charges on freight.

The following sections are added, and made part of this act:

15. For the transportation of wheat, in quantities not less than a car load of ten tons according to custom, the same to be loaded and unloaded at the expense of the shipper, shall be charged by all railroads in Iowa ten dollars per car for any distance under twenty miles; for any distance of twenty miles and under thirty miles, five cents per ton per mile; for any distance of thirty miles and under fifty miles, four cents per ton per mile; for any distance of fifty miles and under seventy-five miles, three cents per ton per mile; for any distance of seventy-five miles and under one hundred miles, two and three-quarter cents per ton per mile; for any distance of one hundred miles and under one hundred and fifty miles, two and one-half cents per ton per mile; for any distance of one hundred and fifty miles and under two hundred miles, two and one-quarter cents per ton per mile; for any distance of two hundred miles and under two hundred and seventy-five miles, two cents per ton per mile; for any distance of two hundred and seventy-five miles

and over, one and four-fifth cents per ton per mile. For the transportation of all other grain in bulk and feed, ten per cent less per car and per ton per mile than is allowed for the transportation of wheat.

16. For the transportation of cattle and hogs, and other live stock, except horses, mules, and sheep, in customary car loads of ten tons, loaded and unloaded at the expense of the shipper, the same price per car and per ton per mile for the different distances transported that is allowed and prescribed in section two of this act for the transportation of wheat.

17. For the transportation of horses and mules per car load, loaded and unloaded at the expense of the shipper, ten per cent more may be charged than the price allowed for the transportation of cattle and hogs the same distance. And for the transportation of sheep by the usual car load only eighty per cent of the price prescribed for cattle and hogs may be charged.

18. For the transportation of wagons and other agricultural implements by the usual car load, the same price per car and per ton per mile that is allowed for the transportation of horses and mules, being ten per cent more than the price of wheat.

19. For the transportation of flour by the usual car load of ten tons, allowing two hundred and twenty pounds to the barrel; and for the transportation of salt, allowing seventy barrels to the car load—the same price per car and per ton per mile, for different distances that is herein prescribed and allowed in section two of this act, for the transportation of wheat.

20. For the transportation of coal and soft lumber, including lath and shingles, by the usual car load of ten tons, loaded and unloaded at the expense of the shipper, one-fifth less per car, and per ton per mile for different distances, than is prescribed and allowed in section two of this act, for the transportation of wheat—shingles being reckoned at one-tenth and lath one-sixth the rate of lumber per thousand.

21. For the transportation of different classes of merchandise according to the usual classification in the northwest by railroad and steamboat companies, per hundred pounds, as follows: For fourth class freight, double the price in section two prescribed for the transportation of wheat for third class freight, fifteen per cent more than fourth class; for second class freight, thirty per cent more than for fourth class; for first class, fifty per cent more than for fourth class; for one and a half first class, fifty per cent more, and for double first class, one hundred per cent more than for first class freight—reference being had to the price per car load and per ton per mile for different distances, in section two provided, and one hundred pounds being reckoned as one two hundredth part of a car load. *Provided*, That any entire single shipment, however small, may be reckoned as one hundred pounds, and charge made accordingly.



22. For the purpose of carrying out the provisions of this act, the classification of freights established by the different companies operating railroads within this State, shall continue without change from the first day of January, A. D. 1872, and it is hereby declared unlawful for any person, corporation or company, owning or operating any railroad in this State to alter or change the present classification of freight with the purpose or intent of avoiding the provisions of this act.

23. All connected railroads in this State, operated or controlled by the same person or company under lease or otherwise, shall, for the purposes of this act in computing distances and determining rates, be regarded as one road.

24. Any officer, agent, or employee of any railroad company, person, or corporation operating a line of railroad, within this State, who shall violate or be a party to the violation of any of the provisions of this act, or instrumental therein, shall be guilty of a misdemeanor, and shall, on conviction thereof, be punished for every such offense by fine, not less than twenty dollars, nor more than one hundred dollars, and by imprisonment, not less than five nor more than thirty days; and any such person, corporation, or railroad company as aforesaid, who shall authorize, direct, cause, permit, or allow any violation of the provisions of this act, by any officer, agent, or employee, such railroad company, person, or corporation shall forfeit and pay to the person injured, five times the amount of compensation or charge illegally taken or demanded, or five times the amount of damage caused, as the case may be, to be recovered by such person in a civil action in any court, or before a justice of the peace, as the case may be, of this State; and for every such violation, such railroad company, person, or corporation shall forfeit and pay to the State of Iowa, for the use of the school fund, the sum of five hundred dollars, to be recovered in any civil action in the name of the State; and it is hereby made the duty of the Attorney General of the State, and of the several district attorneys, within their respective districts, to sue for and recover all sums forfeited as aforesaid.

25. If under the operation of this act, any station more distant from any point of shipment should be charged for any kind and quantity of freight less than a station nearer to the same point of shipment, for the same kind and quantity of freight, then the charge to that nearer station may continue the same to one or more stations beyond, until a station is reached, at which, by the operation of this act, a larger charge is allowed to be made.

26. The provisions of this act shall not apply to any railroad in this State, until the gross earnings the preceding year (reckoning from the first day of January of each year), shall equal or exceed the sum of four thousand dollars per mile, average for all the miles of road operated during the whole of that preceding year.

Mr. Hall moved to recommit the bill, with amendments, to Committee on Railroads.

The motion did not prevail.

Mr. Hall moved that the House do now adjourn.

The motion did not prevail.

Mr. Irish moved a call of the House, which was seconded.

The Clerk proceeded to call the roll, after which Mr. Duncombe moved that further proceedings under the call be dispensed with.

The motion prevailed.

Mr. Duncombe moved the previous question.

Mr. O'Donnell moved a call of the House, which was seconded.

The Clerk proceeded to call the roll.

Mr. Duncombe moved that further proceedings under the call be dispensed with.

The motion prevailed.

Mr. O'Donnell moved that the House adjourn.

The motion did not prevail.

The previous question was ordered by the House.

The question, "Shall the main question be now put?" was decided in the affirmative.

On the adoption of the amendment offered by Mr. Green, Mr. O'Donnell and Mr. Green demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Beatty, of Jasper; Blakely, Christoph, Clark, of Benton; Clarke, of Iowa; Crawford, Davisson, Day, Draper, Duncan, Flenniken, Freeman, Gear, Goodspeed, Green, Hall, Irish, McCoy, O'Donnell, Peet, Rohlf, Schweer, Stewart, Stow, Tufts, Van Meter, Van Saun, Wood, of Story; and Mr. Speaker—Total, 29.

The nays were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beresheim, Bergh, Blackman, Blake, Bliss, Bonewitz, Butler, Cadwell, Caldwell, Campbell, Cardell, Close, Danforth, Davis, Dayton, Dumont, Duncombe, Durham, Ellsworth, Ericson, Evans, Hanson, Hilton, Hopkirk, Johnston, Kasson, Keables, Leahy, Lee, Maxwell, McClure, Merrell, Miller, Mills, Newbold, Perkins, Pratt, Reed, Rice, Rule, Sandry, Secor, Stedman, Struthers, Tasker, Teale, Tuttle, Van Deventer, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wright, of Mills; and Wright, of Van Buren—Total, 59.

Absent or excused—

Messrs. Booth, Carver, Hanan, Heberling, Hewett, Hovey, Litzenberg, McAllister, Morrison, Paul, Reuther and Skillin—Total, 10.

So the amendment did not prevail.

The question being on ordering the bill engrossed for a third reading, Mr. Irish and Mr. O'Donnell demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Bliss, Bonewitz, Butler, Cadwell, Caldwell, Campbell, Cardell, Carver, Clarke, of Iowa; Close, Crawford, Danforth, Davis, Davisson, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Goodspeed, Hanson, Hilton, Hopkirk, Johnston, Keables, Leahy, Lee, Maxwell, McAllister, McClure, McCoy, Merrell, Miller, Mills, Newbold, Perkins, Pratt, Rice, Rohlf, Rule, Sandry, Secor, Stedman, Struthers, Tasker, Teale, Tuttle, Van Deventer, Van Meter, Van Saun, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 74.

The nays were—

Messrs. Ballinger, Blakely, Christoph, Gear, Green, Hall, Irish, Kasson, O'Donnell, Peet, Reed, Schweer, Stewart, Stow, and Tufts—Total, 15.

Absent or excused—

Messrs. Booth, Clark, of Benton; Hanan, Heberling, Hewitt, Hovey, Litzenberg, Morrison, Paul, Reuther, Skillin—Total, 11.

So the bill was ordered engrossed, and to be read a third time.

Mr. Campbell moved to reconsider the vote by which the House ordered the bill engrossed.

Mr. Caldwell moved to lay the motion on the table.

The motion prevailed.

Mr. Rohlf moved that the House adjourn.

The motion prevailed, and the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 13th, 1872. }

House convened pursuant to adjournment.

The Speaker in the chair.

Prayer by Rev. Mr. Turnbull.

Journal of yesterday read and approved.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following bills and resolutions, in which the concurrence of the House is asked :

Substitute for S. F. No. 47, A bill for an act requiring that conditional sales of personal property be executed, acknowledged, and recorded like mortgages of personal property, to be of any validity as against bona fide purchasers, &c.

Also, S. F. No. 65, A bill for an act making an additional appropriation for the Iowa Hospital for the Insane, at Independence.

Also, S. F. No. 136, A bill for an act to provide for surveying lands or lots in certain cases.

Also, S. F. No. 16, A bill for an act to legalize the annexation of certain territory to the city of Knoxville, in Marion county, Iowa.

Also, S. F. No. 98, A bill for an act to amend section 3305 of the Revision of 1860, exempting sewing machines from execution.

Also, S. F. No. 156, A bill for an act to legalize corporations for pecuniary profit, organized under the provisions of chapter 52 of the Revision 1860, as amended by chapter 172 of the acts of the Thirteenth General Assembly.

Also, S. F. No. 97, A bill for an act making corporations and persons owning and operating railroads liable for the willful wrongs of their agents or employees.

Also, concurrent resolution granting certain powers to the special Committee on Capitol Building.

I am also directed to inform your honorable body that the Senate has passed the following bill and resolution without amendment :

H. F. No. 269, A bill for an act to legalize the annexation of territory to the city of Pella, Iowa, the abandonment by said city of its special charter, and for other purposes.

Also, concurrent resolution authorizing the special Committee on Capitol Building to employ a clerk.

J. A. T. HULL, *Secretary*.

By leave, Mr Kasson offered a resolution :

*Ordered*, That on and after Monday, the 18th instant, all bills introduced shall be postponed to a separate calendar, and shall not be considered except by unanimous consent, until after all bills previously introduced shall be finally disposed of. *Provided*, that this order shall not apply to bills favorably reported by a committee of this House, nor to bills which shall have been passed by the Senate.

The resolution lies over for one day.

Mr. Van Deventer, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that on the 12th day of March, instant, they presented to the Governor for his approval the following bills, viz :

H. F. No. 6, An act to amend chapter 70 of the Revision of 1860.

Also, H. F. No. 171, An act authorizing the index to the real and chattle mortgage records of Johnson county to be copied into new books, &c.

Also, H. F. No. 13, An act defining the meaning of the term newspaper, &c.

Also, H. F. No. 141, An act to repeal certain laws relating to the prosecution of claims of the State against the Federal Government.

Also, H. F. No. 40, An act to authorize incorporated towns to aid in the construction of roads.

Also, H. F. No. 97, An act to protect feeders of stock.

J. VAN DEVENTER, *Chairman.*

Mr. Hovey presented a petition from citizens of Buchanan county asking for the restoration of the law giving a county supervisor to each township.

Referred to Committee on County and Township Organizations.

By leave, Mr. Blake, from the Committee on Normal Schools, submitted the following report:

MR. SPEAKER:—Your Committee on Normal Schools, to whom was referred H. F. No. 332, A bill for an act to provide a system of Normal Schools for the State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

F. A. BLAKE, *Chairman.*

The bill was made the special order for March 21st.

Mr. Evans presented a petition from citizens of Muscatine County, asking for liberal appropriation for the State University, including Medical Department.

Referred to Committee on Medical Institutions.

Mr. Appleton presented a petition and remonstrance from citizens of Ida County, asking the passage of a law by which the board of supervisors have discretionary power to pay the retiring board for extra services rendered the county.

Referred to Committee on Compensation of Public Officers.

Mr. Williams presented a petition from citizens of Marshall County, asking for a law absolutely prohibiting the importation and sale of intoxicating liquors in the State of Iowa.

Referred to Committee on Suppression of Intemperance.

Mr. Blackman presented a petition from tax payers of the State, asking that the Circuit Court be abolished.

Referred to Judiciary Committee.

## REPORTS OF COMMITTEES.

Mr. Goodspeed, from Committee on Horticulture, submitted the following report:

MR. SPEAKER:—Your Committee on Horticulture, to whom was referred H. F. No. 333, being A bill for an act to determine the weight per bushel of certain undried fruits named therein, report that they have had the same under consideration, and have directed me to report the same back to the House with the recommendation that the same do pass.

M. GOODSPEED, *Chairman.*

Mr. Rohlf, from the Committee on Compensation of Public Officers, submitted the following report.

MR. SPEAKER:—Your Committee on Compensation of Public Officers, to whom was referred H. F. No. 316, A bill for an act to increase the compensation of township assessors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, H. F. No. 263, A bill for an act to repeal section 4148, of the Revision of 1860, in relation to coroner's fees, and providing a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also, A petition from H. Wilson and other citizens residing in Muscatine County, in relation to the compensation for services of Superintendent of Schools, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be referred to the Committee on Schools.

The bill was referred to Committee on Schools.

Also, H. F. No. 136, A bill for an act to repeal sections 4149 and 4152, of chapter 162, of the Revision of 1860, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass with the following amendments:

1st. Strike from the 5th line of the printed bill the word "seventy-five," and insert "fifty," also in lines 15 and 16, strike out "twenty-five," and insert "fifteen."

2d. Strike from the 21st line "one dollar," and insert "fifty cents," from the 27th line "one dollar and fifty cents," and insert "one dollar," from the 33d line "thirty-five cents," and insert "twenty-five cents," strike out all of line 39, and insert in line 40 "twenty-five cents," instead of "thirty-five cents," and in line 41 the word "six," for "three."

M. J. ROHLFS, *Chairman.*

Mr. Williams, from Committee on State University, submitted the following report :

MR. SPEAKER :—Your Committee on State University, having had under consideration a bill for an act to appropriate money for the maintenance of the State University of Iowa, and for additional buildings therefor, and providing a permanent annual addition to the income thereof, beg leave to report that after due consideration of the same, have instructed me to report the same to the House with the recommendation that it do pass.

JAS. L. WILLIAMS, *Chairman.*

Mr. Close, from Committee on Agriculture, submitted the following report :

MR. SPEAKER :—Your Committee on Agriculture, to whom was referred H. F. No. 228, A bill for an act to amend chapter 136 of the laws of the Twelfth General Assembly, in relation to county agricultural societies, beg leave to report that they have had the same under consideration, and a majority of the Committee have instructed me to report the same back to the House with recommendation that it do pass.

Also, H. F. No. 322, A bill for an act to amend chapter 177 of the laws of the Thirteenth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

CLOSE, *Chairman.*

Mr. Hopkirk, from Committee on Roads and Highways, submitted the following report :

MR. SPEAKER :—Your Committee on Roads and Highways, to whom was referred H. F. No. 247, A bill for an act to repeal section 858, and to amend sections 824 and 842, of the Revision of 1860, relating to manner of establishing county roads, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass with the following amendments: Strike out sections two and three, the same being already provided for.

WILLIAM HOPKIRK, *Chairman.*

Mr. Newbold, from Committee on Schools, submitted the following report :

MR. SPEAKER :—Your Committee on Schools, to whom was referred H. F. No. 329, A bill for an act to legalize the organization of the independent school district of Alpine, Wapello county, Iowa,



beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, S. F. No. 74, A bill for an act to enlarge the powers of school directors, and increase the efficiency of public schools, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House without recommendation.

J. G. NEWBOLD, *Chairman.*

Mr. Bonewitz, from the Committee on County and Township Organizations, submitted the following report:

MR. SPEAKER:—Your Committee on County and Township Organization, to whom was referred H. F. No. 189, A bill for an act to amend section 313, of the Revision of 1860, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, S. F. No. 175, A bill for an act in relation to county records, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do pass.

Also, S. F. No. 79, A bill for an act to amend chapter 89, of the laws of the Thirteenth General Assembly, in relation to equalization of assessments by township trustees, and city and town councils, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do pass.

P. G. BONEWITZ, *Chairman.*

Mr. Williams, from the Committee on Penitentiary, submitted the following report:

MR. SPEAKER:—Your Committee on Penitentiary, to whom was referred S. F. No. 161, A bill for an act to furnish transportation to discharged convicts, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, H. F. No. 293, A bill for an act providing for the better security of the State Penitentiary, and to regulate the government thereof, and for other purposes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

WILLIAMS, *Chairman.*

Mr. Kasson, from Committee on Ways and Means, submitted the following report:

**MR. SPEAKER :—**Your Committee on Ways and Means, to whom was referred H. F. No. 307, A bill for an act to facilitate the collection of delinquent State taxes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Referred to Judiciary Committee.

Also, H. F. No. 306, A bill for an act relating to the payment of the managers of the State institutions, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, H. F. No. 308, A bill for an act to amend chapter 148, acts of the Ninth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, H. F. No. 11, A bill for an act to amend an act, &c., beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass. They have reconsidered the whole question with the desire to reduce the penalty as low as possible, consistently with the proper collection of taxes, and the keeping up of the credit of warrants and bonds of towns, and counties, and State. After a careful review of all the elements of the discussion, they report, that in their opinion any considerable reduction of the penalty would result in finding no purchasers for delinquent lands, except for the best lots; that delinquencies would largely increase from year to year; and with these would come additional burdens on payers of taxes within towns and counties. They believe, also, that the result would be a larger delinquency on the part of nonresident land-owners, who would employ their money in speculations elsewhere; and that it would tend to restore the former financial troubles in the counties from which they are now escaping.

Also, H. F. No. 254, A bill for an act to amend section 781, Revision of 1860, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended by inserting after the word "shall," in the seventeenth line of the first section, the words "after the 1st day of January 1873," and by striking out section two, and that being so amended it do pass.

Also, A petition for relief of Emmett and other counties, beg leave to report that they have had the same under consideration, and have carefully examined the question, fully appreciating the distress caused by the fires of last fall, and have instructed me to report the same back to the House, with the recommendation that

the petition be returned to the files without further action thereon ; as the principle involved in this appropriation for the relief of a number, involves the right of one, whose property is destroyed, to come for the like relief; and would practically establish the State as an insurer against providential fires. Finding no precedent for this action in this State, they do not feel justified in recommending it.

Also, H. F. No. 95, A bill for an act to amend section 4, chapter 106, laws of the Thirteenth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed, the subject being fully before the House in another bill.

Also, H. F. No. 294, A bill for an act amending section 735, of Revision of 1860, and providing a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it be indefinitely postponed.

Also, A petition for modification of stay and usury laws, beg leave to report that they have had the same under consideration, and while they are of opinion that it is important to modify the stay laws or repeal them, they have instructed me to report the same back to the House, with the recommendation that it be referred to Judiciary Committee.

JOHN A. KASSON, *Chairman.*

Mr. Pratt, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER:—Your Committee on the Judiciary, to whom was referred H. F. No. 100, A bill for an act to legalize the sale of school lands in Lucas County, and a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the substitute be amended by striking out the words between the description of the land and the enacting clause of said bill, except the word “therefore,” and when so amended that the said bill do pass.

Also, H. F. No. 273, A bill for an act to amend chapter 160 of the acts of the Twelfth General Assembly, creating the office of county auditor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, H. F. No. 261, A bill for an act to amend article two, chapter 72, Revision of 1860, regulating interest on money, beg leave to report that they have had the same under consideration, and a majority of said committee have instructed me to report the

same back to the House with the recommendation that it be amended by striking out the 2d section thereof, and when so amended, that said bill do pass.

Also, H. F. No. 277, A bill for an act to provide an allowance to the Chief Justice of the Supreme Court, for clerk hire, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, H. F. No. 248, A bill for an act to extend the powers and privileges of cities organized under special charters, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, H. F. No. 302, A bill for an act to amend section 498, of the Revision of 1860, in relation to special elections, beg leave to report that they have had the same under consideration, and a majority of said Committee have instructed me to report the same back to the House with the recommendation that it do pass.

H. O. PRATT, *Chairman.*

Mr. Johnston, from Special Committee appointed to visit the Orphans' Home, submitted a report, which was passed on file, and ordered printed.

By leave, Mr. Tuttle presented a petition from citizens of Polk county, against the herd law.

Referred to Committee on Agriculture.

By leave, Mr. Campbell presented a petition from 160 citizens of Jefferson county, praying for a change in the school law, in relation to districts, and for the abolition of the office of county superintendent.

Referred to Committee on Schools.

Mr. Kasson presented a petition from W. R. Mead and other citizens of northern Iowa, for the abolition of the Circuit Courts, and changes in county government.

Referred to Committee on County and Township Organizations.

Mr. Miller, from Committee on Elections, submitted the following report:

MR. SPEAKER:—Your Committee on Elections, to whom was referred H. F. No. 138, A bill for an act to protect the election of voluntary associations, and to punish frauds therein, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

C. B. MILLER, *Chairman.*

Mr. Close, from Committee on Agriculture, submitted the following report:

MR. SPEAKER:—Your Committee on Agriculture, to whom was referred H. F. No. 330, A bill for an act to amend article 7, chapter 22, Revision of 1860, beg leave to report that they have had the same under consideration, and a majority of said Committee have instructed me to report the same back to the House with the recommendation that it do pass.

CLOSE, *Chairman.*

#### INTRODUCTION OF BILLS.

Mr. Blake introduced H. F. No. 339, A bill for an act to amend chapter 172, acts of the Ninth General Assembly, passed April 8th, 1862, prescribing certain duties and fixing the compensation of the county superintendent of common schools.

Read a first and second time, and referred to Committee on Schools.

Mr. Clark, of Benton, introduced H. F. No. 330, A bill for an act to amend section 475, Revision of 1860, relative to the term of office of township trustees.

Read a first and second time, and referred to Committee on County and Township Organizations.

Mr. Williams introduced H. F. No. 341, A bill for an act to appropriate money for the maintenance of the State University of Iowa, and for additional buildings therefor, and providing a permanent annual addition to the income thereof.

Read a first and second time, and passed on file and ordered printed.

Mr. Ballinger introduced H. F. No. 342, A bill for an act for the improvement and extension of the Iowa State Penitentiary.

Read a first and second time, and referred to Committee on Penitentiary.

By leave Mr. Merrell presented petition and bill, H. F. No. 343, A bill for an act to amend chapter 143 of the acts of the Eleventh General Assembly, in relation to schools.

Read a first and second time, and referred to Committee on Schools.

#### MESSAGES ON THE SPEAKER'S TABLE.

S. F. No. 84, A bill for an act to amend an act entitled an act to protect game, passed April 7th, 1868.

Read a first and second time, and referred to Committee on Agriculture.

S. F. No. 105, A bill for an act legalizing the acts of the board of trustees of New Albany township, Story county, Iowa.

Read a first and second time, and referred to Committee on County and Township Organizations.

## REPORTS OF COMMITTEES.

Mr. Peet, from Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER:—The Committee on Engrossed Bills ask leave to report that they have examined the following bill, and find the same correctly engrossed:

H. F. No. 279, A bill for an act to tax railroad property, and regulating such taxation, and releasing certain taxes herein named.

C. T. PEET, *Chairman*.

By leave Mr. Dancombe called up substitute for H. F. No. 279, A bill for an act to tax railroad property, and regulating such taxation, and releasing certain taxes herein named, was taken up and read a third time.

Mr. Campbell moved to re commit the bill to the Committee on Railroads, with instructions to substitute the following for section three:

Section 3. The said property shall be taxed each year, and shall be listed and valued annually by said board, in the same manner as real estate is required to be listed and valued by section 720 of the Revision of 1860, and such assessment shall be made upon the entire road within the State, and shall include the right of way, road-bed, bridges, culverts, rolling stock, depots, station grounds, shops, buildings, gravel beds, and all other property—real and personal—used in the operation of each of such railroads; and if a part of any railroad is without this State, then in estimating the value of its rolling stock and movable property, they shall take into consideration the proportion which the business of that portion of the road lying within the State bears to the business of the road outside of the State.

Mr. Gear moved to amend the instructions as follows:

Also, To prepare the necessary additional section to secure the proper limitation upon the rates and charges to be taken and received by railroads, and to prevent the exaction from the people by the railroads of the amount of taxes levied by this act by onerous charges on the transportation of freight.

On the adoption of the amendment, Mr. Irish demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Ainsworth, Ballinger, Blakely, Campbell, Carver, Christoph, Clarke, of Iowa; Crawford, Davisson, Day, Evane, Flenviken, Freeman, Gear, Goodspeed, Green, Hall, Hopkirk, Irish, Johnston, McCoy, O'Donnell, Peet, Reed, Rohlfis, Schweer, Skillin, Stewart, Stow, Teale, Tufts, Van Meter, Whitten, Wood, of Story; and Mr. Speaker—Total, 35.

The nays were—



Messrs. Appleton, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Bliss, Bonewitz, Butler, Cadwell, Caldwell, Cardell, Clark, of Benton; Close, Danforth, Davis, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Hanson, Hilton, Hovey, Keables, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, Merrell, Miller, Mills, Newbold, Perkins, Pratt, Rice, Rule, Sandry, Secor, Stedman, Struthers, Tasker, Tuttle, Van Deventer, Van Saun, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wright, of Mills; Wright, of Van Buren.—Total, 57.

Absent or excused—

Messrs. Booth, Hanan, Heberling, Hewett, Kasson, Morrison, Paul, and Reuther—Total, 8.

So the amendment did not prevail.

The question recurring on the motion of Mr. Campbell to instruct the committee, Mr. Campbell demanded the yeas and nays, which were as follows :

The yeas were—

Messrs. Ballinger, Blakely, Campbell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Crawford, Danforth, Day, Gear, Goodspeed, Green, Hall, Hopkirk, Irish, Johnston, McAllister, O'Donnell, Peet, Reed, Schweer, Stedman, Stewart, Stow, Taft, Whitten, and Wood, of Story—Total, 28.

The nays were—

Messrs. Ainsworth, Appleton, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Bliss, Bonewitz, Butler, Cadwell, Caldwell, Cardell, Close, Davis, Davisson, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Hanson, Hilton, Hovey, Kasson, Keables, Leahy, Lee, Litzenberg, Maxwell, McClure, McCoy, Merrell, Miller, Mills, Perkins, Pratt, Rice, Rohlf, Rule, Sandry, Secor, Skillin, Struthers, Tasker, Teale, Tuttle, Van Deventer, Van Meter, Van Saun, Williams, Wilson of Keokuk; Wilson, of Washington; Wood, of Clay; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 63.

Absent or excused—

Messrs. Booth, Hanan, Heberling, Hewett, Morrison, Newbold, Paul, Reuther, and Tasker—Total, 9.

So the motion to instruct did not prevail.

So the motion to re-commit did not prevail.

Mr. O'Donnell offered the following amendment as a rider to the bill, to be added to section 12, as follows :

*Provided*, that the census board shall value no road for taxable purposes at less than three thousand dollars per mile, or more than fifteen thousand dollars per mile; and whenever the gross earnings of any road within the limits of this State exceed five thousand dollars per mile, it shall not be assessed at less than eight thousand dollars per mile.



*And provided*, that this act shall not prevent the levy and collection of taxes upon the real estate of railroads in cities and towns for the improvement of streets, alleys, and places, and other similar improvements bordering upon such real estate.

Mr. Close moved that the amendment be divided.

The motion prevailed.

The question recurring on the adoption of the first clause of the amendment, the yeas and nays were as follows :

The yeas were—

Messrs. Ballinger, Blakely, Campbell, Cardell, Carver, Christoph, Clarke, of Iowa; Crawford, Davisson, Day, Gear, Goodspeed, Hall, Hopkirk, Irish, Johnston, Keables, O'Donnell, Peet, Schweer, Secor, Skillin, Stewart, Stow, Tufts, Van Meter, Whitten, Wilson, of Washington; and Wood, of Story—Total, 28.

The nays were—

Messrs. Ainsworth, Appleton, Beatty, of Cedar; Beatty of Jasper; Beresheim, Bergh, Blackman, Blake, Bliss, Bonewitz, Butler, Cadwell, Caldwell, Clark, of Benton; Close, Danforth, Davis, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Hanson, Hilton, Hovey, Kasson, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Miller, Mills, Newbold, Perkins, Pratt, Rice, Rohlf, Rule, Sandry, Secor, Stedman, Struthers, Tasker, Tuttle, Van Deventer, Van Saun, Williams, Wilson, of Keokuk; Wood, of Clay; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 62.

Absent or excused—

Messrs. Booth, Green, Hanan, Heberling, Hewitt, Morrison, Paul, Reed, Reuther, and Teale—Total, 10.

So the first clause of the amendment was not adopted.

The question recurring on the adoption of the second clause of the rider, the yeas and nays were as follows :

The yeas were—

Messrs. Ballinger, Beatty of Jasper; Blakely, Campbell, Cardell, Carver, Christoph, Clarke, of Iowa; Close, Crawford, Danforth, Davisson, Day, Draper, Duncan, Durham, Evans, Flenniken, Freeman, Gear, Goodspeed, Green, Hall, Hilton, Hopkirk, Hovey, Irish, Kasson, Lee, McCoy, Newbold, O'Donnell, Peet, Reed, Rohlf, Schweer, Stewart, Stow, Tuttle, Van Deventer, Van Meter, Van Saun, Whitten, Wilson, of Washington, and Wood, of Story—Total, 45.

The nays were—

Messrs. Ainsworth, Appleton, Beatty of Cedar; Beresheim, Bergh, Blackman, Blake, Bliss, Bonewitz, Booth, Butler, Cadwell, Caldwell, Clark, of Benton; Davis, Dayton, Dumont, Duncombe, Ellsworth, Ericson, Hanson, Johnston, Keables, Leahy, Litzenberg, Maxwell, McAllister, McClure, Merrell, Miller, Mills, Perkins, Pratt, Rice, Rule, Sandry, Secor, Skillin, Stedman, Struthers,

Tasker, Tufts, Williams, Wilson, of Keokuk; Wood, of Clay; Wright of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 47.

Absent or excused—

Messrs. Booth, Hanan, Heberling, Hewitt, Morrison, Paul, Renther, and Teale—Total, 8.

So the second clause of the amendment was not adopted.

The question recurring, on the adoption of the substitute, the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Bliss, Brnewitz, Butler, Cadwell, Caldwell, Cardell, Carver, Clark, of Benton; Clarke of Iowa; Close, Crawford, Danforth, Davis, Davisson, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Hanson, Hilton, Hopkirk, Hovey, Johnston, Keables, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Miller, Mills, Newbold, Perkins, Pratt, Rice, Rohlf, Rule, Sandry, Secor, Skillin, Stedman, Struthers, Tasker, Teale, Tuttle, Van Deventer, Van Meter, Van Saun, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 75.

The nays were—

Messrs. Ballinger, Blakely, Campbell, Christoph, Gear, Goodspeed, Green, Hall, Irish, Kasson, O'Donnell, Peet, Reed, Schweer, Stewart, Stow, Tufts and Whitten—Total, 18.

Absent or excused—

Messrs. Booth, Heberling, Hanan, Hewett, Paul and Renther,—Total, 6.

So the bill passed and the title was agreed to.

Mr. Gear presented the following protest, signed by himself and other members, against the passage of substitute for H. F. No. 279, which was ordered to be spread upon the record:

The undersigned members of the House of Representatives do most respectfully, but earnestly and firmly protest against the passage of the bill known as "Substitute for H. F. No. 279," entitled "An act for the taxation of Railroads," from the following reasons, to-wit:

1st, That it is inequitable in its provisions to the counties having railways within their limits in that it puts all the property, without the right of way, into the hands of men who cannot from the nature of the case to fix proper valuation on the same.

2d, That it is inequitable and unjust to the cities in this State having railways within their limits, from the fact that on the cities is thrown the burden of protecting railway property within their limits, as put forth in the opinion of the Supreme Court of this State.

3d, We protest against the passage of the bill on account of the unjust legislation as put forth in section nine of the bill.

4th, We protest against the whole bill as being unjust, and in our judgment, unconstitutional.

5th, That the bill we believe to be a delusion, and that it is in the interests of the railroad more than the people.

JOHN H. GEAR,  
B. J. HALL,  
J. W. GREEN,  
W. A. STOW,  
EDW. CAMPBELL,  
JNO. P. IRISH,  
F. O'DONNELL,  
ISAAC BLAKELY,  
M. GOODSPEED,  
C. T. PEET,  
SAMUEL WHITTEN.

Mr. Kasson presented the following protest against the adoption of section nine of the substitute for H. F. No. 279, signed by himself and other members, which was ordered to be spread upon the record :

The undersigned members of the House of Representatives of the Fourteenth General Assembly, protest against the adoption of the ninth section of the bill entitled a "Substitute for H. F. No. 279, A bill for an act to tax railroad property," &c., and against the passage of the bill containing it, for the following reasons :

1st, The constitution provides that the property of corporations "shall be subject to taxation, the same as that of individuals." The Supreme Court has decided that the taxes by said section nine, released to said railroad companies, and the collection whereof it prohibits, were levied by virtue of, and in accordance with the constitution and laws, and that the legislature has no right to exempt railroad property from any kind of taxation to which the property of other citizens is liable.

2d, This bill, by this retroactive section, exempts railroad property from taxation for township and municipal purposes, in violation of the constitution, as has been decided by the Supreme Court in its late decision on that subject.

They cannot, therefore, vote for a bill, which by one of its clauses, violates the constitution, as it has been decided by the Supreme

Court, and attempts to accomplish a purpose which is authoritatively declared to be beyond the constitutional power of the General Assembly.

JNO. P. IRISH,  
FRED O'DONNELL,  
JOHN A. KASSON,  
JOHN W. GREEN,  
WEBSTER BALLINGER,  
CONRAD SCHWEER,  
E. M. STEWART,  
EDW. CAMPBELL,  
JOHN CHRISTOPH.

*At the Capitol, March 13th, 1872.*

Mr. Keables called up S. F. No. 65, A bill for an act making additional appropriation for the Insane Asylum at Independence.

Read a first and second time, and referred to Committee on Insane Asylum.

Also, S. F. No. 16, A bill for an act to legalize the annexation of certain territory in the city of Knoxville, &c., was taken up and read first and second time, and referred to Committee on Incorporation.

Also, S. F. No. 136, A bill for an act to provide for surveying land in certain cases, was read a first and second time, and referred to Committee on Incorporations.

S. F. No. 97, A bill for an act making corporations and persons owning and operating railroads liable for the wilful wrongs of their agents and employees, was read a first and second time and referred to Committee on Railroads.

Also, S. F. No. 98, A bill for an act to amend section 3305 of the Revision of 1860, exempting sewing machines from execution, was taken up and read a first and second time, and referred to Committee on Ways and Means.

Also, S. F. No. 156, A bill for an act to legalize corporations for pecuniary profit, organized under the provisions of chapter 52, Revision of 1860, &c., was read a first and second time, and referred to Judiciary Committee.

Also, substitute for S. F. No. 47, A bill for an act requiring that conditional sales of personal property be executed, acknowledged, and recorded, &c., was read a first and second time, and referred to Committee on Judiciary.

Also, S. F. No. 43, A bill for an act establishing an argument term of Supreme Court at Council Bluffs, was read a first and second time, and referred to Judiciary Committee.

Also, substitute for S. F. No. 71, A bill for an act to legalize the sale of certain swamp lands by Carroll county to E. F. Burgan, &c.

Read first and second time, and referred to Committee on Judiciary.

Also, S. F. No. 117, A bill for an act to promote the science of medicine and surgery in the State of Iowa.

Read first and second time, and referred to Committee on Medical Institutions.

Also, S. F. No. 90, A bill for an act requiring that there shall be attached to locomotive engines a bell or steam whistle, &c.

Read first and second time, and referred to Committee on Railroads.

Also, S. F. No. 195, A bill for an act to legalize appropriations made, and county warrants issued by the board of supervisors of Bremer county, Iowa, for bridge purposes.

Read first and second time, and referred to Committee on Judiciary.

Also, S. F. No. 110, A bill for an act to legalize the levy of certain taxes in the township of Monroe, Jefferson county, Iowa.

Read first and second time, and referred to Committee on Ways and Means.

Also, a joint resolution proposing certain amendments to the constitution, was taken up, and referred to Committee on Constitutional Amendments.

Also, a joint resolution conferring certain powers on the Capitol Investigation Committee, was concurred in.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am instructed to inform your honorable body that the Senate has passed the following bills without amendment:

H. F. No. 212, A bill for an act legalizing the formation of independent school district No. 1, in Bloomfield township, Polk county, Iowa.

Also, H. F. No. 24, A bill for an act to provide for the establishment and maintenance of public libraries in cities and incorporated towns.

J. A. T. HULL, *Secretary*.

Senate resolutions on the death of Hon. M. B. Mulkern, Senator from the Thirty-Fifth Senatorial District, were taken up, which were as follows:

WHEREAS, An All-wise Providence has removed by death, since the meeting of the former General Assembly, the Senator from the Thirty-Fifth Senatorial District, the Hon. M. B. Mulkern; therefore

*Resolved*, That with unfeigned sorrow we mourn the loss of our departed brother. We deplore the sad event that deprived us of his genial presence and his ready council; and the State of an intelligent, upright and honored citizen. We reverence the virtues

that endeared him to us, and they will long keep in our hearts his memory fragrant and green.

*Resolved*, That with feeling hearts we share the grief of his bereaved widow, his fatherless children, and the large circle of mourning relatives and friends, and we tender to them our deep and earnest sympathy. It is sweet to remember that among the virtues of the deceased no one shone with brighter radiance or did him greater honor, than his tender love and undeviating faithfulness as a husband, and his ardent affection as a father.

*Resolved*, That these resolutions be spread upon the Journal of the Senate, and a copy of the same be transmitted to the House of Representatives, and to the widow of the deceased.

*Resolved*, That as a further mark of respect, this Senate do now adjourn.

On motion of Mr. O'Donnell, the resolutions were unanimously adopted by a rising vote of the House.

On motion of Mr. O'Donnell, the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 14, 1872. }

House convened pursuant to adjournment.

The Speaker in the chair.

Prayer by Rev. Dr. Murphy.

The journal of yesterday was read and approved.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following resolution, in which the concurrence of the House is asked.

Resolution in relation to distribution of White's Geological Report.

A copy of the resolution is herewith transmitted.

W. L. VESTAL, *First Ass't. Secretary.*

Mr. Van Deventer, from Committee on Enrolled Bills submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills ask leave to report that they have examined the following bill, and find the same correctly enrolled:

H. F. No. 249, A bill for an act to legalize the acts of the independent school district of Mason City, Iowa.

J. VAN DEVENTER, *Chairman*.

The hour having arrived for the special order, which was the reconsideration of the vote by which substitute for H. F. 209, A bill for an act to tax dogs for the protection of sheep, was lost on engrossment.

On motion of Mr. Blakely the special order was taken up.

The motion to reconsider was adopted, and the bill was passed on file.

#### PETITIONS AND MEMORIALS.

Mr. Evans presented a petition from citizens of Wilton, Muscatine county, praying for an appropriation to the State University, including Medical Department.

Referred to Committee on State University.

Mr. Peet presented a petition from citizens of Delaware county, remonstrating against the abolition of the office of county superintendent.

Referred to Committee on Schools.

Mr. Whitten presented a petition from citizens of Scott county, remonstrating against establishment of Medical Department to the State University.

Referred to Committee on Medical Institutions.

Mr. Merrell presented a petition from citizens of Clinton county, asking for liberal support to all departments of the State University.

Referred to Committee on State University.

#### REPORTS OF COMMITTEES.

Mr. Caldwell, from the Committee on Railroads, submitted the following report:

MR. SPEAKER:—Your Committee on Railroads, to whom was referred H. F. Nos. 12 and 166, Bills for an act to prescribe rules and regulations for railroads, and to establish uniform and reasonable maximum rates of tariff for the transportation of certain freights thereon, beg leave to report that they have had the same under consideration, and have instructed me to report that the accompanying substitute which they recommend do pass.

S. T. CALDWELL, *Chairman*.



Mr. Bonewitz, from Committee on County and Township Organizations, submitted the following report:

MR. SPEAKER:—Your Committee on County and Township Organizations, to whom was referred H. F. No. 308, A bill for an act to provide seals for the office of the county recorder, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, a petition, N. A. Hare and others, in regard to justice and constable fees, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be referred to the Committee on Compensation of Public Officers.

P. G. BONEWITZ, *Chairman.*

Mr. Miller, from Committee on Elections, submitted the following report:

MR. SPEAKER:—Your Committee on Elections, to whom was referred H. F. No. 291, A bill for an act to repeal a part of section No. 1, of chapter 23, of the Ninth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

C. B. MILLER, *Chairman.*

Mr. Pratt, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER:—Your Committee on the Judiciary, to whom was referred H. F. No. 203, A bill for an act to provide for the taking up of logs and rafts, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended in the second section thereof by striking out the word "six" at the end of the third line of said section, and inserting "three" instead thereof, and when so amended, that said bill do pass.

H. O. PRATT, *Chairman.*

#### RESOLUTIONS LAID OVER UNDER RULE 34.

The resolution offered by Mr. Kasson, in regard to future order of business, was taken up, and was not agreed to.

#### RESOLUTIONS.

Mr. Bonewitz offered the following joint resolution, which was referred to Committee on Penitentiary.

WHEREAS, It has come to the knowledge of the General

Assembly that it has been the practice of the Warden of the Penitentiary to hire to work outside of the walls of said prison contrary to the provisions of section 5137 of the Revision of 1860, the prisoners confined therein ; therefore,

*Be it resolved*, That the officers having control of the same be and they are hereby instructed to have such practice discontinued, and that the Secretary of State be directed to furnish a copy of this resolution to each member of the Census Board and to the Warden of the State Penitentiary.

MESSAGES ON THE SPEAKER'S TABLE.

Resolution in reference to furnishing White's Geological Reports to members, &c., was taken up.

Mr. Pratt moved to amend by inserting " employees."

The motion prevailed.

The resolution was adopted.

BILLS ON SECOND READING.

H. F. No. 182, A bill for an act to amend section 827 of the Revision of 1860, relating to roads and highways, was taken up and read first and second times.

Mr. Stewart offered the following amendment :

" All roads on section lines, regardless of length, shall be paid by the counties."

The amendment was lost.

Mr. Leahy offered the following amendment :

" Strike out all after the enacting clause and insert section 827 of the Revision is hereby repealed."

The amendment was agreed to.

The bill was ordered engrossed for a third reading.

By leave Mr. Clark, of Benton, called up S. F. No. 8, A bill for an act to enable civil townships to adopt the provisions of chapter 26, of the laws of the Thirteenth General Assembly, &c.

The question being on the engrossment of the bill, Mr. Danforth moved to amend as follows :

*Provided*, That in case any township adopt the provisions of this act it shall not take effect until twelve months after such vote shall have been taken.

Further consideration of S. F. No. 8 was postponed.

The hour having arrived for the special order, it being the Capitol Appropriation Bill, on motion of Mr. Kasson the special order was postponed until the 21st of March at 10 oclock A. M.

The hour having arrived for consideration of special order, it being Tariffs on Railroads, Mr. Green moved to postpone it for ten minutes.

The motion prevailed.

By leave Mr. Green called up H. F. No. 203, A bill for an act to provide for the taking up of rafts and logs.

The amendments recommended by the Committee were adopted.

Mr. Goodspeed moved to amend by inserting "boards and rails."

Mr. Teale moved to amend the amendment by inserting the words "suitable for making lumber or hewn timber," after the word "logs," in the second line of the first section.

The amendment was agreed to.

The special order of tariffs on railroads was postponed until H. F. No. 203 was disposed of.

Mr. Leahy moved to amend, "that the boards so found, the parties finding them shall be entitled to fifty cents per thousand feet."

The motion was lost.

Mr. Leahy moved to reconsider the vote by which the amendment was lost.

The motion prevailed.

Mr. Leahy offered the following as an amendment to the amendment:

Sec. 5. That the provisions of this act shall apply to sawed lumber, and the parties taking up the same shall be entitled to fifty cents per thousand feet.

The amendment was adopted.

Mr. Green moved to suspend the rule, consider the bill engrossed, and read the bill a third time now.

The motion prevailed.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty of Cedar; Beatty, of Jasper; Bereshiem, Bergh, Blackman, Blake, Blakely, Bliss, Bonewitz, Butler, Cadwell, Caldwell, Campbell, Cardell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davisson, Day, Dayton, Draper, Duncan, Durcombe, Durham, Ellsworth, Ericson, Evans, Freeman, Gear, Goodspeed, Green, Hall, Hilton, Hopkirk, Hovey, Irish, Johnston, Kason, Keables, Leahy, Lee, Litzenberg, Maxwell, McClure, McCoy, Mills, Newbold, O'Donnell, Peet, Perkins, Pratt, Reed, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Skillin, Stewart, Stow, Struthers, Tasker, Teale, Tutts, Van Deventer, Van Meter, Van Saun, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren, and Mr. Speaker—Total, 85.

The nays were none.

Absent or excused—

Messrs. Booth, Davis, Dumont, Flenniken, Hanan, Hanson, Heberling, Hewett, McAllister, Merrell, Miller, Morrison, Paul, Stedman, and Tuttle—Total, 15.

So the bill passed.

Mr. Leahy moved to insert in title "and sawed lumber."

The motion prevailed and the title was agreed to.

Mr. Caldwell moved to take up special order, railroad tariffs.

The motion was agreed to.

Substitute for H. F. No. 13 was taken up and considered.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked :

S. F. No. 184, A bill for an act concerning acknowledgments of deeds and other instruments in writing executed in foreign countries.

J. A. T. HULL, *Secretary*.

Mr. Leahy moved to postpone further consideration of special order until Wednesday, March 20, at 2 p. m.

Mr. Pratt moved to amend by making it Tuesday, March 19, at 10 o'clock A. M.

On this motion Messrs. Irish and Ainsworth demanded the yeas and nays, which were as follows :

The yeas were—

Messrs. Appleton, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Blakely, Bliss, Bonewitz Butler, Cadwell, Caldwell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Davisson, Draper, Duncan, Duncombe, Durham, Ellsworth, Ericson, Freeman, Green, Hovey, Kasson, Keables, Leahy, Lee, Litzenberg, Maxwell, McClure, Merrell, Miller, Peet, Perkins, Pratt, Reed, Reuther, Rohlf, Rule, Sandry, Secor, Struthers, Tasker, Teale, Tuttle, Van Deventer, Van Meter, Van Saun, Whitten, Williams, Wood, of Clay; Wood, of Story; and Wright, of Mills—Total, 58.

The nays were—

Messrs. Ainsworth, Ballinger, Campbell, Cardell, Christoph, Danforth, Davis, Day, Dayton, Evans, Gear, Goodspeed, Hall, Hilton, Hopkirk, Irish, Johnston, McAllister, McCoy, Mills, Newbold, O'Donnell, Rice, Schweer, Skillin, Stewart, Stow, Tufts, Wilson, of Keokuk; Wilson, of Washington; Wright, of Van Buren, and Mr. Speaker—Total, 32.

Absent or excused—

Messrs. Booth, Dumont, Flenniken, Hanan, Hanson, Heberling, Hewett, Morrison, Paul, and Stedman—Total, 10.

So the amendment prevailed.

The motion to postpone prevailed.

On motion of Mr. Caldwell the bill was ordered printed.

Leave of absence was granted to Messrs. McClure, Hanson, Stedman, Morrison, Blakely, Heberling, Ericson and Dumont.

The question recurring on the amendment offered by Mr. Danforth to S. F. No. 8, the amendment was not agreed to.

Mr. Wright of Mills, offered the following amendment.

*Provided*, That no township shall adopt the provision of this act which does not adjoin a county which has adopted the same.

The amendment did not prevail.

Mr. Hall moved to amend as follows :

“ And the right of counties to adopt or reject such act as therein provided, is hereby repealed.”

Mr. Mills moved the previous question, which was ordered by the House.

The question, “ Shall the main question be now put ? ” prevailed.

The amendment did not prevail.

The bill was then ordered to be engrossed for a third reading.

Mr. Rohlf's moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question “ Shall the bill pass ? ” the yeas and nays were as follows :

The yeas were—

Messrs. Ainsworth, Beatty, of Cedar ; Beatty, of Jasper ; Bergh, Blackman, Blake, Bonewitz, Caldwell, Cardell, Carver, Clark, of Benton ; Clarke, of Iowa ; Close, Danforth, Day, Dayton, Draper, Duncombe, Ellsworth, Evans, Freeman, Goodspeed, Hovey, Kason, Keables, Leahy, Litzenberg, Maxwell, McAllister, Merrell, Miller, Mills, O'Donnell, Pratt, Reuther, Rohlf's, Rule, Sandry, Secor, Skillin, Struthers, Tasker, Teale, Tufts, Van Deventer, Van Saun, Whitten, Williams, Wilson, of Keokuk ; Wilson, of Washington ; Wood, of Clay ; Wright, of Van Buren ; and Mr. Speaker—Total, 53.

The nays were—

Messrs. Appleton, Ballinger, Beresheim, Bliss, Butler, Cadwell, Campbell, Christoph, Crawford, Davis, Davisson, Duncan, Durham, Ericson, Gear, Hall, Hilton, Hopkirk, Irish, Johnston, Lee, McCoy, Newbold, Perkins, Reed, Rice, Schweer, Stewart, Stow, Tuttle, Van Meter, Wood, of Story ; and Wright, of Mills—Total, 33.

Absent or excused—

Messrs. Blakely, Booth, Dumont, Flenniken, Green, Hanan, Hanson, Heberling, Hewitt, McClure, Morrison, Paul, Peet, and Stedman—Total, 14.

So the bill passed and the title was agreed to.

Mr. Beatty, of Cedar, offered the following resolution :

*Resolved*, That the use of this hall be tendered to Mrs. Jane G. Swishelm to morrow evening for the purpose of delivering a lecture on the subject of temperance.

The resolution was adopted.

Mr. Clarke, of Iowa, moved to adjourn.

The motion did not prevail.

By leave, Mr. Close submitted a report from the Committee on Agriculture:

MR. SPEAKER :—Your Committee on Agriculture, to whom was referred numerous petitions asking the Fourteenth General Assembly to pass an act to make the stock law general in its application throughout the State, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with a bill, without recommendation, with accompanying petitions.

C. CLOSE, *Chairman*.

By leave, Mr. Peet introduced H. F. No. 344, A bill for an act to provide for the inspection of teachers, and the management of common schools, teachers' institutes, and teachers' drills.

Read a first and second time, and referred to Committee on Schools.

Mr. Merrill moved that when this House adjourn, it be until tomorrow morning at 9 o'clock.

Mr. Goodspeed moved to amend by making it 2 o'clock this afternoon.

The amendment did not prevail.

The motion was agreed to.

On motion of Mr. Clarke, of Iowa, the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, March 15, 1872. }

The House convened pursuant to adjournment.

The Speaker in the chair.

Prayer by Rev. L. M. Walters.

Journal of yesterday read and approved.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER :—I am directed to inform your honorable body that the Senate has passed the following bills, in which the concurrence of the House is asked:

S. F. No. 21, A bill for an act to permanently locate the State Reform School.

S. F. No. 102, A bill for an act relative to the law of the admission of dying declarations of deceased persons.

S. F. No. 122, A bill for an act to permanently locate and provide for the erection and control of an additional penitentiary.

I am also directed to inform your honorable body that the Senate has passed H. F. No. 225, A bill for an act to legalize the acts of the board of trustees, mayor, and recorder of the town of Sharon, Mahaska county, Iowa, without amendment.

J. A. T. HULL, *Secretary*.

By leave Mr. Carver called up H. F. No. 335, which was made the special order for Friday, March 22d, at 10 o'clock A. M.

The Speaker announced the special order for this hour, it being H. F. No. 240, A bill for an act to amend chapter 172, laws of the Ninth General Assembly, and the acts amendatory thereto, in relation to the voting and levying of school taxes.

Mr. Clark, of Benton, moved to take up the special order.

The motion prevailed.

The bill was taken up and considered.

Mr. Hall offered the following amendment :

To add to section one, "but in case the board of supervisors ascertain that the specified sum certified to be greater than the maximum per centum now authorized will produce, the board shall nevertheless levy such maximum limit."

The amendment was agreed to.

Mr. Danforth moved to amend by striking out "School," and inserting "sub" in the third line.

The amendment was not adopted.

Mr. Freeman moved to amend the ninth line by inserting the word "sub" after the word "each."

The motion to amend prevailed.

Mr. Ainsworth offered the following amendment:

"And the amount raised for contingent fund shall not exceed five dollars per scholar, and the amount raised for teachers' fund, including the amount received from the semi-annual apportionment, shall not exceed five dollars per scholar, for each scholar residing in the district township or independent district for which the tax is levied. The number of persons between the ages of five and twenty-one years as shown by the last report of the county superintendent, shall, for the purpose of this act, be deemed the number of scholars in each school-district."

The amendment was adopted.

Mr. Hilton offered an amendment as follows :

After the word "supervisors," in the seventh line, insert "designating the amount of school-house tax to be levied in each sub-district."

The amendment prevailed.



Mr. Wright, of Mills, moved to amend as follows:

At the end of the tenth line strike out "school-house fund tax" and insert "several funds."

The amendment was not adopted.

Mr. Teale moved to re-commit the bill to Committee on Schools.

The motion did not prevail.

Mr. Litzenberg moved to reconsider the vote by which the amendment offered by Mr. Ainsworth was adopted.

Mr. Hopkirk moved to lay the motion to reconsider on the table.

The motion prevailed.

Leave of absence was granted to Messrs. Olose, Van Saun, Lee, Van Meter, Heberling, Stewart, and Wilson, of Washington.

Mr. Clark, of Benton, moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion was agreed to.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Ballinger, Beatty, of Jasper; Beatty, of Cedar; Bergh, Blake, Bonewitz, Butler, Campbell, Cardell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Crawford, Danforth, Davis, Davisson, Dayton, Draper, Duncan, Duncombe, Durham, Ellsworth, Freeman, Gear, Goodspeed, Hall, Hewett, Hopkirk, Hovey, Irish, Johnston, Kasson, Keables, Litzenberg, McAllister, McCoy, Merrell, Miller, Mills, Newbold, O'Donnell, Peet, Perkins, Reed, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Teale, Tuttle, Van Deventer, Van Saun, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; and Mr. Speaker—Total, 68.

The nays were—

Messrs. Appleton, Bliss, Cadwell, Day, Evans, Green, Hilton, Leahy, Pratt, Secor, Tufts, Whitten, Wright, of Mills; and Wright, of Van Buren—Total, 14

Absent or excused—

Messrs. Beresheim, Blackman, Blakely, Booth, Caldwell, Olose, Dumont, Ericson, Flenniken, Hanan, Hanson, Heberling, Lee, Maxwell, McClure, Morrison, Paul, and Van Meter—Total, 18.

So the bill passed and the title was agreed to.

The Speaker announced the hour for the special order, it being H. F. No. 175, A bill for an act, providing for the organization of independent school districts.

By leave, Mr. Pratt, from Judiciary Committee, submitted the following reports:

MR. SPEAKER:—Your Committee on the Judiciary, to whom was referred H. F. No. 312, A bill for an act to allow all appeals to the Supreme Court from the counties of Hardin and Franklin, to the

regular terms of said court held at Des Moines, instead of Dubuque, and to transfer all causes pending at Dubuque from said counties therein, beg leave to report that they have had the same under consideration, and a majority of said committee have instructed me to report the same back to the House with the recommendation that it do pass.

Also, H. F. No. 255, A bill for an act giving the custody and management of transfer records to the county recorder, beg leave to report that they have had the same under consideration, and a majority of said committee have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, H. F. No. 280, A bill for an act to amend section 3293 of the Revision of 1860, in relation to stay of execution, beg leave to report that they have had the same under consideration, and a majority of said committee have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, H. F. No. 319, A bill for an act to enjoin the commission of crimes and misdemeanors, beg leave to report that they have had the same under consideration, and a majority of said committee have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, S. F. No. 156, A bill for an act to legalize corporations for pecuniary profit, organized under the provisions of chapter 52 of the Revision of 1860, as amended by chapter 172 of the acts of the Thirteenth General Assembly, beg leave to report that they have had the same under consideration, and a majority of said committee have instructed me to report the same back to the House with the recommendation that it do pass.

Also, S. F. No. 195, A bill for an act to legalize appropriations made, and county warrants issued by the board of supervisors of Bremer county, Iowa, for bridge purposes, beg leave to report that they have had the same under consideration, and a majority of said committee have instructed me to report the same back to the House with the recommendation that it do pass.

Also, H. F. No. 253, A bill for an act to amend section 778 of the Revision of 1860, in relation to recording notices of assignment of tax sale certificates of purchase, beg leave to report that they have had the same under consideration, and a majority of said committee have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, H. F. No. 285, A bill for an act amendatory of chapter 102, of the acts of the Ninth General Assembly, entitled an act to provide for the taking up of estray animals, beg leave to report that they have had the same under consideration, and a majority of said committee have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, H. F. No. 301, A bill for an act to amend chapter 102 of the Revision of 1860, and to confer upon the clerk of the circuit court, exclusive jurisdiction in the matter of issuing marriage license, and controlling the records of the same, beg leave to report that they have had the same under consideration, and a majority of said committee have instructed me to report the same back to the House with the recommendation that it do pass.

Also, H. F. No. 297, A bill for an act to permit suits to be brought against the State, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, H. F. No. 237, A bill for an act to legalize the donation of the swamp lands and swamp land funds of Hamilton county to the Des Moines, Boone and Northern Railroad Company and the I. M. & N. P. R. R. Co., beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, H. F. No. 238, A bill for an act to exempt land owners from paying taxes on land used by railroad companies, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended by the substitute herewith reported, and recommend that substitute do pass.

Also, H. F. No. 226, A bill for an act to amend section 4055 of the Revision of 1860, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended by the adoption of the substitute herewith reported, and recommend that said substitute do pass.

Also, H. F. No. 259, A bill for an act, &c., beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, H. F. No. 284, A bill for an act, &c., beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

H. O. PRATT, *Chairman.*

By leave, Mr. Hovey, from Committee on Asylum for Insane, submitted the following report:

MR. SPEAKER:—Your Committee on Asylum for the Insane, to whom was referred H. F. No. 163, A bill for an act to protect the insane, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, S. F. No. 65, A bill for act making an additional appropriation for the Insane Asylum at Independence, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended by striking out the words "and farm," in the fourth line of section 1, and when thus amended they recommend that it do pass.

Also, H. F. No. 299, A bill for an act making further appropriation for the Hospital for the Insane at Mount Pleasant, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended by striking out the words "for landscape gardening, and drive ways five thousand dollars," also the words, "for safe, one thousand dollars," all in the first section of said bill, and when so amended, they recommend that it do pass.

J. M. HOVEY, *Chairman.*

On motion of Mr. Stow the special order was taken up and considered.

The recommendation of the Committee that the bill be indefinitely postponed, being under consideration, Mr. O'Donnell offered the following amendment:

Strike out the word "ten" and insert "one-fifth" in the 1st line of section 2.

Mr. Clark of Benton, moved to amend the amendment by inserting "one-third" for "one-fifth."

The amendment to the amendment prevailed.

The amendment was agreed to.

Mr. Stow moved to amend by adding a new section, viz: Section 6, as follows:

"When any district township is divided into independent school districts under the provisions of this act, then the old board of directors of the district township shall make such a division of assets and liabilities of such district township as is provided by section 4, chapter 172, laws of 1862."

Mr. Goodspeed offered an amendment as follows, a proviso to the 4th section:

"*Provided, further:* That the provisions of this act shall only apply and be in force in those townships that have their school-houses all built."

The amendment was not agreed to.

The amendment offered by Mr. Stow prevailed.

Leave of absence was granted to Messrs. Pratt and Cadwell.

Mr. Blake moved to amend section 3 as follows:

*Provided,* That if the number of inhabitants of any such sub-district does not exceed five hundred then but three directors shall

be chosen who shall hold their offices one, two and three years respectively. The length of their respective terms to be determined by lot, and but one director shall be chosen annually thereafter, who shall hold his office three years.

Mr. Stow moved to strike out "township trustee" and insert "board of directors" in the first line of section two.

The motion prevailed.

Mr. Stow moved to strike out "township trustees" in 1st and 2d lines and insert "board of directors."

The motion was agreed to.

Mr. Stow moved to strike out "86," and insert "3" and strike out "172" and insert "8" in 3d line of section 3.

The motion prevailed.

Leave of absence was granted to Messrs. Maxwell, Hopkirk and Mills.

The motion to indefinitely postpone the bill did not prevail.

The bill was ordered engrossed for a third reading.

Mr. Stow moved to suspend the rule, consider the bill engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

Upon the question, "Shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beresheim, Bergh, Blackman, Bonewitz, Butler, Cadwell, Caldwell, Campbell, Christoph, Clark, of Benton; Clarke, of Iowa; Danforth, Davis, Davisson, Dayton, Duncombe, Durham, Gear, Goodspeed, Hall, Hewett, Hilton, Hopkirk, Hovey, Irish, Johnston, Kasson, Keables, Leahy, McCoy, Merrell, Mills, O'Donnell, Peet, Perkins, Reed, Reuther, Rice, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stow, Struthers, Tasker, Teale, Tufts, Tuttle, Van Deventer, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story, and Mr. Speaker—Total, 61.

The nays were—

Messrs. Beatty, of Cedar; Beatty, of Jasper; Blake, Bliss, Crawford, Day, Draper, Duncan, Ellsworth, Evans, Freeman, Green, Litzenberg, Miller, Newbold, Rohlf, Stewart, Wright, of Mills; and Wright, of Van Buren—Total, 19.

Absent or excused—

Messrs. Blakely, Booth, Cardell, Carver, Close, Dumont, Ericson, Flenniken, Hanan, Hanson, Heberling, Lee, Maxwell, McAllister, McClure, Morrison, Paul, Pratt, Van Meter, and Van Saun—Total, 20.

So the bill passed and the title was agreed to.

Mr. Van Deventer, from Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bills, viz :

H. F. No. 280, A bill for an act to authorize Circuit Judges to approve the bonds of county officers in certain cases.

Also, H. F. No. 144, A bill for an act to release the interest of the State of Iowa in certain lots in Estherville, &c.

Also, H. F. No. 249, A bill for an act to legalize the acts of the independent school district of Mason City.

J. VAN DEVENTER, *Chairman.*

MR. SPEAKER:—The Committee on Enrolled Bills ask leave to report that they have examined the following bills, and find the same correctly enrolled :

H. F. No. 269, A bill for an act to legalize the annexation of territory to the city of Pella, &c.

Also, H. F. No. 212, A bill for an act to legalize the formation of the independent school district of Bloomfield, Polk county, Iowa.

Also, H. F. No. 24, A bill for an act to provide for public libraries.

J. VAN DEVENTER, *Chairman.*

By leave, Mr. Davis introduced H. F. No. 346, A bill for an act to provide for the taking a census of the State in the year 1873.

Read a first and second time, and referred to Committee on Senatorial and Representative Districts.

Mr. Paul was excused from Committee of Investigation on the New Capitol building, &c.

The Committee of Investigation on the New Capitol Building was given leave to sit during the session of the House.

By leave, Mr. Gear introduced H. F. No. 347, A bill for an act requiring the publication of the receipts and expenditures of independent school districts and estimates for the future maintenance of the same.

Read a first and second time, and referred to Committee on Schools.

By leave, Mr. Teale introduced H. F. No. 348, A bill for an act to provide information for the deaf and dumb.

Read a first and second time, and referred to Committee on Asylum for Deaf and Dumb.

Mr. Hall moved that when this House adjourn it be until two and a half o'clock, P. M.

The Speaker announced Mr. Maxwell, in place of Mr. Paul, on Committee of Investigation on the New Capitol Building.

Mr. Cadwell presented a petition from citizens of Harrison county, asking for a reduction of freight tariffs on railroads.



Referred to Committee on Railroads.

(On motion of Mr. Merrell the House adjourned.

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TWO AND A HALF O'CLOCK, P. M.

House met pursuant to adjournment.

Speaker in the chair.

BILLS ON THIRD READING.

H. F. No. 182, A bill for an act to amend section 827 of the Revision of 1860, relating to roads and highways, was taken up and read a third time.

On the passage of the bill, the yeas and nays were as follows :

The yeas were—

Messrs. Beatty, of Jasper ; Beresheim, Bliss, Christoph, Crawford, Danforth, Davisson, Day, Dayton, Draper, Ellsworth, Evans, Freeman, Gear, Hall, Hovey, Irish, Johnston, Kasson, Litzenberg, McCoy, Miller, Mills, Newbold, O'Donnell, Sandry, Teale, Williams, Wilson, of Washington ; Wood, of Story ; and Mr. Speaker—Total, 30.

The nays were—

Messrs. Ainsworth, Appleton, Blackman, Blake, Bonewitz, Caldwell, Carver, Clark, of Benton ; Duncan, Durham, Goodspeed, Hewett, Hilton, Keables, McAllister, Merrell, Reed, Reuther, Rule, Schweer, Secor, Skillin, Stedman, Stow, Struthers, Tasker, Tufts, Whitten, Wilson, of Keokuk ; Wood, of Clay ; Wright, of Mills ; and Wright, of Van Buren—Total, 32.

Absent or excused—

Messrs. Ballinger, Beatty, of Cedar ; Bergh, Blake, Blakely, Booth, Butler, Cadwell, Campbell, Cardell, Clarke, of Iowa ; Close, Davis, Dumont, Duncombe, Ericson, Flenniken, Green, Hanan, Hanson, Heberling, Hopkirk, Leahy, Lee, Maxwell, McClure, Morrison, Paul, Peet, Perkins, Pratt, Rice, Rohlf, Stewart, Tattle, Van Deventer, Van Meter, and Van Saun—Total, 88.

So the bill did not pass.

Leave of absence was granted Messrs. Carver and Bergh.

Mr. Hilton obtained leave to call up H. F. No. 46, A bill for an act to fix the salaries of county officers, which was referred back to Committee on Compensation of Public Officers.

By leave, Mr. Campbell called up H. F. No. 94, A bill for an act to change the mode of electing township trustees.

The bill was taken up and considered.

The House ordered the bill engrossed for a third reading.

On motion of Mr. Campbell, the rule was suspended, the bill considered engrossed, and was read a third time.



On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Ballinger, Beresheim, Blake, Bonewitz, Butler, Cadwell, Caldwell, Campbell, Christoph, Clarke, of Iowa; Crawford, Day, Dayton, Duncan, Freeman, Hall, Hilton, Hovey, Irish, Johnston, Keables, Merrell, Miller, Newbold, Peet, Reed, Sandry, Schweer, Skillin, Stedman, Stow, Tasker, Teale, Tuttle, Wilson, of Washington; and Mr. Speaker—Total 36.

The nays were—

Messrs. Appleton, Beatty, of Cedar; Beatty, of Jasper; Blackman, Bliss, Clark, of Benton; Danforth, Davisson, Draper, Durham, Ellsworth, Evans, Gear, Goodspeed, Green, Hewett, Litzenberg, McAllister, McCoy, O'Donnell, Reuther, Rule, Secor, Struthers, Tufts, Whitten, Williams, Wilson, of Keokuk; Wood, of Clay; Wood, of Story; Wright, of Mills; and Wright, of Van Buren—Total, 32.

Absent or excused—

Messrs. Bergh, Blakely, Booth, Cadwell, Cardell, Carver, Close, Davis, Dumont, Duncombe, Ericson, Flenniken, Hanan, Hanson, Heberling, Hopkirk, Kasson, Leahy, Lee, Maxwell, McClure, Mills, Morrison, Paul, Perkins, Pratt, Rice, Rohlf, Stewart, Van Deventer, Van Meter, and Van Saun—Total, 82.

The bill not receiving a constitutional majority, was declared lost.

Mr. O'Donnell moved to reconsider the vote by which H. F. No. 94 was lost, and the motion to pass on file.

Mr. O'Donnell moved to call up H. F. No. 135, A bill for an act to repeal section 1804 of the Revision of 1860, in relation to days of grace, with substitute therefor.

The motion prevailed.

The bill, with substitute therefor, was taken up and considered.

The substitute was adopted.

Mr. Stow moved to reconsider the vote by which substitute was adopted.

The motion was agreed to.

On motion of Mr. O'Donnell, further consideration of the bill was postponed one day.

Mr. Hall moved to take up H. F. No. 173, A bill for an act relinquishing an escheat in Des Moines county, to John Parrott.

The motion prevailed.

Mr. Hall moved that the rule be suspended, the bill considered engrossed and read a third time now.

The motion was agreed to.

So the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were —

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar ; Beatty, of Jasper ; Beresheim, Blackman, Blake, Bliss, Bonewitz, Butler, Caldwell, Campbell, Clark, of Benton ; Clarke, of Iowa ; Crawford, Danforth, Davisson, Day, Dayton, Duncan, Durham, Ellsworth, Evans, Freeman, Gear, Goodspeed, Green, Hall, Hewett, Hilton, Hovey, Irish, Johnston, Kasson, Keables, Litzenberg, McAllister, McCoy, Merrell, Miller, Newbold, O'Donnell, Reed, Reuther, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stow, Struthers, Teale, Tufts, Tuttle, Whitten, Williams, Wilson, of Keokuk ; Wilson, of Washington ; Wood, of Clay ; Wood, of Story ; Wright, of Mills ; Wright, of Van Buren ; and Mr. Speaker — Total, 65.

The nays were none.

Absent or excused—

Messrs. Bergh, Blakely, Booth, Cadwell, Cardell, Carver, Christoph, Close, Draper, Davis, Dumont, Duncombe, Ericson, Flenniken, Hanan, Hanson, Heberling, Hopkirk, Leahy, Lee, Maxwell, McClure, Mills, Morrison, Paul, Peet, Perkins, Pratt, Rice, Rohlf, Sandry, Stewart, Tasker, Van Deventer, Van Meter, and Van Saun,—Total, 35.

So the bill passed, and the title was agreed to.

#### REPORT OF COMMITTEE.

Mr. Newbold, from the Committee on Schools, submitted the following report:

MR. SPEAKER:—A majority of your Committee on Schools to whom was referred H. F. No. 343, A bill for an act to amend chapter 143, of the acts of the Eleventh General Assembly, in relation to shools, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass, with the following amendment: Strike out Friday in the last line of the bill and insert Monday.

J. G. NEWBOLD, *Chairman.*

Mr. Merrill moved to take up H. F. No. 343.

The motion prevailed.

The bill with the amendment reported by the committee, was taken up and considered.

The amendment was adopted.

The House ordered the bill engrossed for a third reading.

On motion of Mr. Merrill, the rule was suspended, the bill considered engrossed and read a third time now.

On the question, "Shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Jasper; Beresheim, Blackman, Bliss, Bonewitz, Butler, Caldwell, Christoph, Clark, of Benton; Clarke, of Iowa; Crawford, Danforth, Dayton, Duncan, Durham, Ellsworth, Evans, Freeman, Gear, Goodspeed, Green, Hall, Hewitt, Hovey, Irish, Johnston, Kasson, Keables, Litzenberg, McAllister, McCoy, Newbold, O'Donnell, Peet, Renth-er, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stow, Struthers, Tasker, Teale, Tufts, Tuttle, Williams, Wilson, of Keokuk; Wil-son, of Washington; Wood, of Clay; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 57.

The nays were—

Messrs. Beatty, of Cedar; Hilton, and Wood, of Story.

Absent or excused—

Messrs. Bergh, Blake, Blakely, Booth, Campbell, Carver, Cad-well, Cardell, Close, Davis, Davisson, Day, Draper, Dumont, Duncombe, Ericson, Flenniken, Hanan, Hanson, Heberling, Hopkirk, Leahy, Lee, Maxwell, McClure, Merrell, Miller, Mills, Morrison, Paul, Parkins, Pratt, Reed, Rice, Rohlf, Stewart, Van Deventer, Van Meter, Van Saun, and Whitten—Total, 40.

So the bill passed and the title was agreed to.

Also, H. F. No. 169, A bill for an act to amend chapter 98, of the acts of the Twelfth General Assembly, in relation to indebt-edness of school districts, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House without recommendation.

Also, H. F. No. 344, A bill for an act to provide for the inspec-tion of teachers and the management of common schools, teachers' institutes and drills, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, H. F. No. 55, A bill for an act amendatory to an act defin-ing the duties of superintendents of common schools, beg leave to report that have had the same under consideration, and have instructed me to report the same back to the House with the rec-ommendation that it be indefinitely postponed.

Also, H. F. No. 25, A bill for an act to abolish the office of county superintendent of common schools, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, H. F. No. 337, A bill for an act in relation to county super-intendent of common schools, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

J. G. NEWBOLD, *Chairman.*

By leave Mr. Hall called up H. F. No. 169, A bill for an act to amend chapter 98, of the acts of the Twelfth General Assembly, &c.

The bill was taken up and considered.

Leave of absence was granted to Messrs. Davisson and Rohlf.

Mr. Hall moved to amend by striking out the words "shall be deemed and taken to be promissory notes of such districts, and."

The motion prevailed.

The House ordered the bill engrossed for third reading.

Mr. Hall moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion was agreed to, and the bill read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Blackman, Blake, Bliss, Bonewitz, Butler, Caldwell, Campbell, Christoph, Clark, of Benton; Clarke, of Iowa; Crawford, Danforth, Day, Dayton, Duncan, Durham, Ellsworth, Evans, Freeman, Gear, Goodspeed, Green, Hall, Hilton, Hovey, Johnston, Kasson, Keables, McCoy, Merrell, Miller, Newbold, Peet, Reed, Renther, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stow, Struthers, Tasker, Tuttle, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wright, of Mills; Wright, of Van Buren, and Mr. Speaker—Total, 56.

The nays were—

Messrs. O'Donnell, Rohlf, Tufts, and Whitten—Total, 4.

Absent or excused—

Messrs. Bergh, Blakely, Booth, Cadwell, Cardell, Close, Davis, Davisson, Draper, Dumont, Duncombe, Ericson, Flenniken, Hanan, Hanson, Heberling, Hewett, Hopkirk, Irish, Leahy, Lee, Litzberg, Maxwell, McAllister, McClure, Mills, Morrison, Paul, Perkins, Pratt, Rice, Rohlf, Stewart, Teale, Van Deventer, Van Meter, Van Saun, and Wood, of Story—Total, 38.

So the bill passed, and the title was agreed to.

By leave, Mr. Beatty, of Jasper, introduced H. F. No. 349, A bill for an act to legalize the town plat of Wittenburg.

Read first and second time, and referred to Committee on County and Township Organizations.

By leave, Mr. Ballinger introduced H. F. No. 350, A bill for an act to provide for the payment of court costs in the case of the State of Iowa v. J. D. Eads, Ed. Johnston, &c.

Read first and second time, and referred to Committee on Claims.

Mr. Butler moved that H. F. No. 96, with report of committee, be reported back to Committee on Police.

The motion prevailed.

By leave, Mr. Duncan introduced H. F. No. 351, A bill for an act to amend chapter 64, article 3, of the Revision of 1860.

Read first and second time, and referred to Committee on Suppression of Intemperance.

REPORTS OF COMMITTEES.

Mr. Kasson, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER:—Your Committee on Ways and Means, to whom was referred H. F. No. 268, A bill for an act to provide for the compilation of the revenue laws, and for other purposes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with a substitute therefor, and the recommendation that the substitute do pass.

Also, H. F. No. 272, A bill for an act to encourage and promote immigration to the State of Iowa, and for other purposes; also, memorial in relation to the same subject, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with a substitute therefor, and the recommendation that the substitute do pass.

JOHN A. KASSON, *Chairman.*

Mr. Evans, from Committee on Agriculture, submitted the following report:

MR. SPEAKER:—Your Committee on Agriculture, to whom was referred S. F. No. 84, A bill for an act to amend the game law, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass, with the following amendments: strike out of the fourth line the words "of February," and insert "day of January;" also, after the second word first, in the same line, insert the word "day;" also, strike out of the sixth line the words "and January;" also, strike out of the ninth line the words "enclosed grounds," and insert the words "occupied premises."

CLOSE, *Chairman.*

By leave, Mr. Williams moved that H. F. No. 341, A bill for an act to appropriate money for the maintenance of the State University of Iowa, &c., was made the special order for Wednesday, March 20, 10 o'clock A. M.

By leave, Mr. Stedman introduced H. F. No. 352, A bill for an act to enable counties to furnish justices of the peace with a copy of Wood's Hand Book, for the use of their respective offices.

Read first and second time and referred to Judiciary Committee.

By leave, Mr. Skillen called up S. F. No. 195, A bill for an act to legalize appropriations made, and county warrants issued by the board of supervisors of Bremer county, Iowa.

The bill was taken up and considered.

On motion of Mr. Skillin the rule was suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Bereshiem, Blackman, Bliss, Bonewitz, Butler, Caldwell, Campbell, Christoph, Clark, of Benton; Clarke, of Iowa; Crawford, Danforth, Day, Dayton, Duncan, Durham, Ellsworth, Evans, Freeman, Gear, Goodspeed, Green, Hall, Hilton, Hovey, Irish, Johnston, Litzenberg, McAllister, McCoy, Merrell, Miller, Newbold, O'Donnell, Peet, Reed, Reuther, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stow, Struthers, Tasker, Teale, Tufts, Tuttle, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 62.

The nays were—

Mr. Reed—Total, 1.

Absent or excused—

Messrs. Bergh, Blake, Blakely, Booth, Cadwell, Cardell, Carver, Close, Davis, Davisson, Draper, Dumont, Duncombe, Ericson, Flenniken, Hanan, Hanson, Heberling, Hewett, Hopkirk, Kasson, Keables, Leahy, Lee, Maxwell, McClure, Mills, Morrison, Paul, Perkins, Pratt, Rice, Rohlf, Stewart, Van Deventer, Van Meter, and Van Saun—Total, 37.

So the bill passed and the title was agreed to.

Mr. Ellsworth, from the Committee on Medical Institutions, submitted the following report:

MR. SPEAKER:—Your Committee on Medical Institutions, to whom was referred H. F. No. 321, A bill for an act relating to the power of the board of regents of the State University, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, a minority of your Committee on Medical Institutions, to whom was referred H. F. No. 321, A bill for an act relating to the power of the board of regents of the State University, beg leave to report that they have had the same under consideration, and would report the same back to the House with the recommendation that it do not pass.

Also, S. F. No. 117, A bill for an act to promote the science of medicine and surgery in the State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Mr. Green moved that all bills before the House on capital punishment be referred to the Committee of the Whole House, and made the special order for April 5th.

The motion prevailed.

Mr. Green offered the following resolution, which was adopted:

*Resolved*, That the use of the Assembly Hall be granted to Hon. M. H. Bovee, of Wisconsin, on Thursday evening, April 4th, for a lecture on the subject of capital punishment.

On motion of Mr. Pratt, the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, March 16th, 1872. }

House convened pursuant to adjournment.

The Speaker in the chair.

Prayer by Rev. Dr. Murphy.

Journal of yesterday read and approved.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following resolutions, in which the concurrence of the House is asked :

Joint Resolution proposing to amend the constitution of the State of Iowa, and to provide for its reference and publication.

Also, Concurrent resolution in relation to procuring a portrait of ex-Governor James W. Grimes.

I am also directed to inform your honorable body that the Senate refuses to agree to House amendments to Senate resolution relative to the distribution of White's Geological Report.

J. A. T. HULL, *Secretary*.

Leave of absence was granted to Messrs. Clark of Benton, Draper, Van Deventer, Gear, Flenniken, Green and Duncombe.

#### PETITIONS AND MEMORIALS.

Mr. Freeman presented a petition from citizens of Scott county, asking for liberal provision for the support and maintenance of the Medical Department of State University.

Referred to Committee on Medical Institutions.



Mr. Freeman presented a petition from citizens of Scott, Cedar, and Muscatine counties, asking for amendment of the present tax laws of the State of Iowa.

Referred to Committee on Ways and Means.

Mr. Day presented a petition from citizens of Milton, Cedar county, praying that no appropriations be made to the Medical Department of State University.

Referred to Committee on Medical Institutions.

Mr. Secor presented petition from citizens of Winnebago county, asking for the enactment of a law for the protection of fur bearing animals.

Referred to Committee on Agriculture.

Mr. Miller presented a petition from citizens of Appanoose county, asking for appropriation for Medical Department of State University.

Referred to Committee on Medical Institutions.

Mr. Litzenburg presented a petition from citizens of Linn county, asking for a law for the suppression of secret societies.

Mr. Ellsworth moved to refer to Committee on Insane Asylum.

The motion was not agreed to.

Referred to Committee on Incorporations.

Mr. Peet presented a petition from citizens of Delaware county, asking that a law be enacted so that each township may have at least one supervisor.

Referred to Committee on County and Township Organizations.

Mr. Hall presented a petition from citizens of Des Moines county, asking for an appropriation to the Medical Department of State University.

Referred to Committee on Medical Institutions.

Mr. Irish presented a similar petition from citizens of Johnson county.

Referred to the same committee.

Mr. Newbold presented a petition from citizens of Henry county, asking for the abolition of the office of county superintendent.

Referred to Committee on Schools.

Mr. Tufts presented a petition from citizens of Cedar county, asking for the enactment of a temperance law embracing the principles of the Ohio law on the same subject.

Referred to Committee on Suppression of Intemperance.

#### REPORTS OF COMMITTEES.

Mr. Johnston, from Committee on Engrossed Bills, submitted the following report:

**MR. SPEAKER:**—The Committee on Engrossed Bills ask leave to report that they have examined the following bills, and find the same correctly engrossed:

H. F. No. 182, A bill for an act to amend section 827, of the Revision of 1860, relating to roads and highways.

Also, H. F. No. 203, A bill for an act to provide for the taking up of rafts, logs, and sawed lumber.

Also, H. F. No. 175, A bill for an act providing for the organization of independent school districts.

Also, H. F. No. 240, A bill for an act to amend chapter 172, laws of the Ninth General Assembly.

JOHNSTON, *for Committee.*

#### INTRODUCTION OF BILLS.

Mr. Ballinger introduced H. F. No. 353, A bill for an act to amend chapter 6, of the acts of the Fourteenth General Assembly, entitled an act authorizing the appropriation of money to build bridges.

Read a first and second time, and referred to Committee on Roads and Highways.

By leave, Mr. Irish presented a petition from citizens of Johnson county, asking for an appropriation for the Medical Department of the State University.

Referred to Committee on Medical Institutions.

Mr. Stedman introduced H. F. No. 354, A bill for an act to provide against the evils resulting from the sale of intoxicating liquors.

Read a first and second time, and referred to Committee on Suppression of Intemperance.

By leave, Mr. Bonewitz, from Committee on County and Township Organizations, submitted the following report:

MR. SPEAKER:—Your Committee on County and Township Organizations, to whom was referred S. F. No. 105, A bill for an act legalizing the acts of the board of trustees of New Albany township, Story county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, H. F. No. 349, A bill for an act to legalize the vacation of the town plat of Wittenberg, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

P. G. BONEWITZ, *Chairman.*

Mr. Blackman from the Committee on Public Lands, submitted the following report:

MR. SPEAKER:—Your Committee on Public Lands, to whom was referred H. F. No. 262, A bill for an act to legalize the sale of

the indemnity swamp lands of Hancock county to B. L. Patch, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

WM. W. BLACKMAN, *Chairman.*

RESOLUTIONS.

Mr. Wright of Van Buren, offered the following resolution, which was adopted:

*Resolved by the House of Representatives of the State of Iowa,* There shall be appointed by the Speaker, a select committee of three, whose duty it shall be to report to this House by Wednesday next, 20th, a detailed statement of all the appropriations asked for by the different State institutions, together with necessary State expenses.

*Also,* Give the probable resources of the State annually under the present levy, or from any other source.

The author to be excused from said committee.

By leave, Mr. Bergh, from Committee on State Library submitted the following report:

MR. SPEAKER:—Your Committee on State Library, to whom was referred S. F. No. 48, A bill for an act in relation to public libraries, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass with the following amendment:

In section 4 strike out all after the word "thereof" in the seventh line, and insert in lieu thereof the following: "Under such rules and regulations as the board of directors may prescribe; also, strike out the whole of section five.

KNUT E. BERGH, *Chairman.*

MESSAGES ON THE SPEAKER'S TABLE.

S. F. No. 181, A bill for an act concerning the acknowledgment of deeds and other instruments in writing executed in foreign countries.

Read a first and second time, and referred to Judiciary Committee.

S. F. No. 102, A bill for an act relating to the law of admission of the dying declaration of deceased persons in evidence.

Read a first and second time, and referred to Judiciary Committee.

S. F. No. 122, A bill for an act to permanently locate and provide for the erection of an additional penitentiary.

Read a first and second time, and referred to Committee on Public Buildings.

"Joint Resolution in regard to amendment to the constitution of the United States in regard to prosecuting attorney," was taken up and referred to Judiciary Committee.

By leave, Mr. Goodspeed introduced H. F. No. 355, A bill for an act to create a State Historical Society.

Read a first and second time, and referred to Committee on State University.

By leave, Mr. Danforth called up H. F. No. 308, A bill for an act to provide seals for the office of the county recorder, which was made the special order for March 18th at 10 o'clock, A. M.

By leave, Mr. Clarke of Iowa, called up H. F. No. 286, A bill for an act to amend chapter 25, of the acts of the Ninth General Assembly, &c.

The bill was taken up and considered, and the amendment recommended by the Committee was adopted.

Mr. Goodspeed moved to strike out of the bill the word "Auditor" and insert "Recorder."

The motion did not prevail.

The House refused to order the bill engrossed for a third reading.

Mr. Irish moved to reconsider the vote by which the House refused to order the bill engrossed for a third reading.

The motion was agreed to.

Mr. Reed moved to refer the bill back, which motion prevailed.

By leave Mr. Dayton called up H. F. No. 129, A bill for an act to amend section 8, chapter 158, of the laws of the Thirteenth General Assembly, in relation to reading wills.

The House ordered the bill engrossed for a third reading.

On motion of Mr. Dayton, the rule was suspended, the bill considered engrossed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Bliss, Brenowitz, Caldwell, Christoph, Clarke of Iowa; Crawford, Danforth, Day, Dayton, Duncan, Durham, Ellsworth, Evans, Freeman, Goodspeed, Hall, Hewett, Hilton, Hovey, Irish, Johnston, Kasson, Litzenberg, McAllister, McCoy, Miller, Newbold, Peet, Reed, Renther, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stow, Struthers, Tasker, Teale, Tufts, Tuttle, Whitten, Williams, Wilson, of Keokuk; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 59.

The nays were none.

Absent or excused—

Messrs. Blakely, Booth, Butler, Cadwell, Campbell, Cardell, Carver, Clark, of Benton; Close, Davis, Davisson, Draper,

Dumont, Duncombe, Ericson, Flenniken, Gear, Green, Hanan, Hanson, Heberling, Hopkirk, Keables, Leahy, Lee, Maxwell, McClure, Merrell, Mills, Morrison, O'Donnell, Paul, Perkins, Pratt, Rice, Rohlf, Stewart, Van Deventer, Van Meter, Van Saun, and Wilson, of Washington—Total, 41.

So the bill passed and the title was agreed to.

By leave, Mr. Wood, of Story, called up S. F. No. 105, A bill for an act legalizing the acts of the board of trustees of New Albany township, Story county, Iowa.

The bill was taken up and read first and second time.

The House ordered the bill engrossed for a third reading.

Mr. Wood moved that the rule be suspended, and the bill considered engrossed, and read a third time now.

The motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Bonewitz, Caldwell, Christoph, Clarke, of Iowa; Crawford, Danforth, Day, Dayton, Duncan, Durham, Ellsworth, Evans, Freeman, Goodspeed, Hall, Hewett, Hilton, Hovey, Irish, Johnston, Kasson, Litzenberg, McAllister, McCoy, Miller, Newbold, Peet, Reed, Renner, Ruhl, Sandry, Schweer, Secor, Skillin, Stedman, Stow, Struthers, Tasker, Tufts, Tuttle, Whitten, Williams, Wilson, of Keokuk; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 57.

The nays were none.

Absent or excused—

Messrs. Blakely, Bliss, Booth, Butler, Cadwell, Campbell, Cardell, Carver, Clark, of Benton; Close, Davis, Davisson, Draper, Damon, Duncombe, Ericson, Flenniken, Gear, Green, Hanan, Hanson, Heberling, Hopkirk, Keables, Leahy, Lee, Maxwell, McClure, Merrell, Mills, Morrison, O'Donnell, Paul, Perkins, Pratt, Rice, Rohlf, Stewart, Teale, Van Deventer, Van Meter, Van Saun, and Wilson, of Washington—Total, 43.

So the bill passed and the title was agreed to.

By leave, Mr. Beatty, of Jasper, called up H. F. No. 349, A bill for an act to legalize the vacation of the town plat of Wittenburg.

The House ordered the bill engrossed for a third reading.

On motion of Mr. Beatty the rule was suspended, the bill considered engrossed, and read a third time now.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Bliss, Bonewitz, Caldwell, Clarke, of Iowa; Crawford, Danforth,

Day, Dayton, Durham, Ellsworth, Evans, Freeman, Goodspeed, Hall, Hewett, Hilton, Hovey, Irish, Johnston, Kasson, Litzenberg, McAllister, McCoy, Miller, Newbold, Peet, Reed, Renther, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stow, Struthers, Tasker, Tutta, Tuttle, Whitten, Williams, Wilson, of Keokuk; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren, and Mr. Speaker—Total, 57.

The nays were none.

Absent or excused—

Messrs. Blakely, Booth, Butler, Cadwell, Campbell, Cardell, Carver, Christoph, Clark, of Benton; Close, Davis, Davisson, Draper, Dumont, Durcombe, Ericson, Flenniken, Gear, Green, Hanan, Hanson, Heberling, Hopkirk, Keables, Leahy, Lee, Maxwell, McClure, Merrell, Mills, Morrison, O'Donnell, Paul, Perkins, Pratt, Rice, Rohlf, Stewart, Teale, Van Deventer, Van Meter, Van Saun, and Wilson, of Washington—Total, 43.

So the bill passed, and the title was agreed to.

By leave, Mr. Hewett called up H. F. No. 237, A bill for an act to legalize the donation of the swamp land funds of Hamilton county, Iowa, to the Des Moines, Boone & Northern Railway Co., &c., &c.

The bill was taken up and considered.

The House ordered the bill engrossed for a third reading.

Mr. Hewett moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion was agreed to, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Cedar; Beatty of Jasper; Beresheim, Bergh, Blake, Bliss, Bonewitz, Caldwell, Clarke, of Iowa; Crawford, Danforth, Day, Dayton, Duncan, Durham, Ellsworth, Evans, Freeman, Goodspeed, Hall, Hewitt, Hilton, Hovey, Irish, Johnston, Kasson, Litzenberg, McAllister, McCoy, Miller, Newbold, Peet, Reed, Renther, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stow, Struthers, Tasker, Tufts, Tuttle, Whitten, Williams, Wilson, of Keokuk; Wood, of Clay; Wood, of Story, Wright of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 55.

The nays were none.

Absent or excused—

Messrs. Ballinger, Blackman, Blakely, Booth, Butler, Cadwell, Campbell, Cardell, Carver, Christoph, Clark, of Benton; Close, Davis, Davisson, Draper, Dumont, Duncombe, Ericson, Flenniken, Gear, Green, Hanan, Hanson, Heberling, Hopkirk, Keables, Leahy, Lee, Maxwell, McClure, Merrell, Mills, Morrison, O'Donnell, Paul, Perkins, Pratt, Rice, Rohlf, Stewart, Teale, Van Deventer, Van Meter, Van Saun, and Wilson, of Washington—Total, 45.

So the bill passed and the title was agreed to.

By leave, Mr. Peet called up H. F. No. 153, A bill for an act in relation to the collection of taxes in certain cases.

The bill was taken up and considered.

The recommendation of the committee to indefinitely postpone was adopted, and the bill was indefinitely postponed.

By leave, Mr. Wright, of Van Buren, introduced H. F. No. 356, A bill for an act providing for the return of poll books to the county auditor.

Read a first and second time, and referred to Committee on Elections.

By leave, Mr. Secor called up H. F. No. 262, A bill for an act to legalize the sale of the indemnity swamp land of Hancock county to B. L. Patch.

The question being on the engrossment of the bill, Mr. Secor moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed, and the bill was read a third time.

On the question, " Shall the bill pass ? " the yeas and nays were as follows :

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar ; Beatty, of Jasper ; Bergh, Blackman, Blake, Bliss, Bonewitz, Caldwell, Clarke, of Iowa ; Crawford, Danforth, Day, Dayton, Duncan, Durham, Ellsworth, Evans, Freeman, Goodspeed, Hall, Hilton, Hovey, Irish, Johnston, Kasson, Litzenberg, McAllister, McCoy, Miller, Newbold, Peet, Reed, Reuther, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stow, Struthers, Tasker, Tufts, Tuttle, Whitten, Williams, Wilson, of Keokuk ; Wood, of Clay ; Wood, of Story ; Wright, of Mills ; Wright, of Van Buren ; and Mr. Speaker—Total, 55.

The nays were—

Mr. Teale—Total, 1.

Absent or excused—

Messrs. Beresheim, Blakely, Booth, Butler, Cadwell, Campbell, Cardell, Carver, Christoph, Clark, of Benton ; Close, Davis, Davisson, Draper, Dumont, Duncombe, Ericson, Flenniken, Gear, Green, Hanan, Hanson, Heberling, Hewett, Hopkirk, Keables, Leahy, Lee, Maxwell, McClure, Merrell, Mills, Morrison, O'Donnell, Paul, Perkins, Pratt, Rice, Rohls, Stewart, Van Deventer, Van Meter, Van Saun, and Wilson, of Washington—Total, 44.

So the bill passed and the title was agreed to.

By leave, Mr. Williams called up the resolution in regard to the distribution of White's Geological Surveys.

Mr. Hall moved that the House recede from House amendments.

The motion prevailed.



The resolution in relation to making witnesses in criminal cases responsible for the costs, was taken up and adopted.

H. F. No. 296, A bill for an act to promote water-power improvement, was taken up, and in accordance with the recommendation of the Committee it was indefinitely postponed.

H. F. No. 168, A bill for an act to amend chapter 54, of the acts of the Thirteenth General Assembly, &c., was taken up.

On motion of Mr. Hall, the consideration of the bill was postponed one day.

H. F. No. 162, A bill for an act requiring applicants for damages as contemplated in sections 841 and 842, of the Revision of 1860, &c., was taken up.

The House refused to order the bill engrossed for a third reading.

H. F. No. 48, A bill for an act to amend chapter 100, of the laws of the Twelfth General Assembly, was taken up.

Mr. Reuther moved to make it the special order for March 21st, at 10 o'clock, A. M.

The motion prevailed.

H. F. No. 73, A bill for an act to amend section 2, chapter 178, of the laws of the Ninth General Assembly, in regard to township assessors, was taken up and considered.

The House ordered the bill engrossed for a third reading.

On motion of Mr. Freeman the rule was suspended, the bill considered engrossed, and read a third time now.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

Messrs. Ainsworth, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Bereshiem, Bergh, Blackman, Blakely, Bliss, Bonewitz, Clarke, of Iowa; Crawford, Danforth, Day, Dayton, Duncan, Durham, Evans, Freeman, Goodspeed, Hall, Hovey, Irish, Johnston, Kasson, Litzenberg, McCoy, Miller, Newbold, Peet, Reed, Rule, Reuther, Sandry, Schweer, Secor, Skillin, Stedman, Stow, Struthers, Tasker, Teale, Tufts, Tuttle, Williams, Wilson, of Keokuk; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren, and Mr. Speaker—Total, 51.

The nays were—

Messrs. Appleton, Caldwell, Ellsworth, and Whitten—Total, 4.

Absent or excused—

Messrs. Blake, Booth, Butler, Cadwell, Campbell, Cardell, Carver, Christoph, Clark, of Benton; Close, Davis, Davisson, Draper, Dumont, Duncombe, Ericson, Flenniken, Gear, Green, Hanan, Hanson, Heberling, Hewett, Hopkirk, Keables, Leahy, Lee, Maxwell, McAllister, McClure, Merrill, Mills, Morrison, O'Donnell, Paul, Perkins, Pratt, Rice, Rohlf, Stewart, Van Deventer, Van Meter, Van Saun, and Wilson of Washington—Total, 44.

So the bill passed and the title was agreed to.

By leave Mr. Irish introduced H. F. No. 357, A bill for an act

to determine the rights of illegitimate children, and provide remedies in certain cases.

Read first and second time, and referred to Committee on Judiciary.

H. F. No. 140, A bill for an act to authorize boards of supervisors to cancel county warrants in certain cases, and defining the limitations of such warrants, was taken up in accordance with recommendation of committee and indefinitely postponed.

H. F. No. 51, A bill for an act to amend section 2, chapter 173, of the acts of the Ninth General Assembly, was taken up and ordered engrossed for a third reading.

H. F. No. 164, A bill for an act to equalize the rights of parents, was taken up, and in accordance with the recommendation of the committee it was indefinitely postponed.

S. F. No. 20, A bill for an act to amend section 2524 of the Rev. of 1860, was taken up, and in accordance with recommendation of committee it was indefinitely postponed.

H. F. No. 161, A bill for an act to establish an independent school district in West Grove and adjoining territory, in Davis county, Iowa, was taken up, and in accordance with recommendation of committee it was indefinitely postponed.

H. F. No. 113, A bill for an act in relation to partition fences, was taken up, and in accordance with recommendation of committee it was indefinitely postponed.

H. F. No. 62, A bill for an act for the encouragement of horticulture and forestry, was taken up and considered.

Mr. Goodspeed moved the bill be postponed for one day.

The motion prevailed.

H. F. No. 160, A bill for an act to repeal parts of chapter 95, of the acts of the Twelfth General Assembly, was taken up and considered with substitute recommended by committee.

The substitute was adopted.

The House ordered the bill engrossed for a third reading.

On motion of Mr. Teale, the rule was suspended, the bill considered engrossed, and read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blake, Bliss, Bonewitz, Caldwell, Clarke, of Iowa; Crawford, Danforth, Day, Dayton, Duncan, Durham, Evans, Freeman, Goodspeed, Hovey, Irish, Johnston, Litzenberg, McCoy, Miller, Newbold, Reed, Reuther, Rule, Sandry, Stedman, Struthers, Tasker, Teale, Tuttle, Whitten, Wilson, of Keokuk; Wright, of Mills; and Mr. Speaker—Total, 40

The nays were—

Messrs. Ainsworth, Hall, Hewett, Hilton, McAllister, Newbold,

Schweer, Skillin, Stow, Tufts, Williams, Wood, of Clay; Wood, of Story; and Wright, of Van Buren—Total, 14.

Absent or excused—

Messrs. Blackman, Blakely, Booth, Butler, Cadwell, Campbell, Cardell, Carver, Christoph, Clark, of Benton; Close, Davis, Davisson, Draper, Dumont, Duncombe, Ellsworth, Ericson, Flenniken, Gear, Green, Hanan, Hanson, Heberling, Hopkirk, Kasson, Keables, Leahy, Lee, Maxwell, McClure, Merrell, Mills, Morrison, O'Donnell, Paul, Peet, Perkins, Pratt, Rice, Rohlf, Stewart, Secor, VanDeventer, Van Meter, Van Saun, and Wilson, of Washington, Total, 46.

So the bill did not pass.

Mr. Tufts moved to reconsider the vote by which the bill was lost.

The motion prevailed.

Mr. Irish moved to refer the bill back to Committee on County and Township Organizations, with instructions.

The motion was agreed to.

H. F. No. 204, A bill for an act to amend section 835, of the Revision of 1860, was taken up and considered.

The House ordered the bill engrossed for a third reading.

Mr. Dayton moved that the rule be suspended, the bill considered or grossed, and read a third time now.

The motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Bergh, Blackman, Bliss, Bonewitz, Caldwell, Clarke, of Iowa; Crawford, Danforth, Day, Dayton, Duncan, Durham, Ellsworth, Evans, Freeman, Goodspeed, Hall, Hewett, Hilton, Hovey, Johnston, Kasson, Litzenberg, McAllister, Miller, Newbold, Peet, Reed, Reuther, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stow, Struthers, Teale, Tufts, Tuttle, Whitten, Williams, Wilson of Keokuk; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 53.

The nays were none.

Absent or excused—

Messrs. Beresheim, Blakely, Blake, Booth, Butler, Cadwell, Campbell, Cardell, Carver, Christoph, Clark, of Benton; Close, Davis, Davisson, Draper, Dumont, Duncombe, Ericson, Flenniken, Gear, Green, Hanan, Hanson, Heberling, Hopkirk, Irish, Keables, Leahy, Lee, Maxwell, McClure, McCoy, Merrell, Mills, Morrison, O'Donnell, Paul, Perkins, Pratt, Rice, Rohlf, Stewart, Tasker, Van Deventer, Van Meter, Van Saun, and Wilson, of Washington—Total, 47.

So the bill passed and the title was agreed to.

On motion of Mr. Reed the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, March 18th, 1872. }

House convened pursuant to adjournment.

The Speaker in the chair.

Prayer by Rev. J. G. Dimmitt.

Journal of Saturday was read and approved.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER : I am directed to inform your honorable body that the Senate has passed the following bills, in which the concurrence of the House is asked :

S. F. No. 212, A bill for an act to legalize the acts of the board of directors of the independent school district of Blakesburg, Wapello county, Iowa.

I am also directed to inform your honorable body that the Senate has passed, without amendment, the following bills :

H. F. No. 147, A bill for an act to legalize the acts of Robert E. Montgomery, clerk of the district and circuit courts of Pottawattamie county, Iowa.

Also, H. F. No. 109, A bill for an act to legalize the organization of the township of Highland, in O'Brien county, Iowa.

Also, substitute for H. F. No. 125, A bill for an act to legalize the organization and issuing of the bonds of the independent school district of New Cherokee, Cherokee county, Iowa.

I am also directed to inform your honorable body that the Senate has passed the following bill :

H. F. No. 267, A bill for an act to legalize the acts of the board of directors of the district township of Delaware, Polk county, Iowa, with the following amendment : Add at end of publication clause the words " without expense to the State."

J. A. T. HULL, *Secretary.*

By leave, Mr. Davis called up H. F. No. 96, A bill for an act to prevent the manufacture and sale of dangerous illuminating fluids.

The bill was taken up and referred to Committee on Police Regulations.

By leave, Mr. Leahy introduced H. F. No. 358, A bill for an act to amend section 3293 of the Revision of 1860.

Read a first and second time, and referred to Committee on Judiciary.

## PETITIONS.

Mr. Whitten presented a petition from physicians of Dubuque county, and also from physicians of Des Moines county, remonstrating against any appropriation in aid of the medical department of the State University.

Referred to Committee on Medical Institutions.

Mr. Ellsworth presented a petition from citizens, professional and otherwise, asking aid for State institutions, &c.

Referred to Committee on Medical Institutions.

Mr. Davis presented a petition from citizens of Union county asking for the enactment of a law regulating freights on railroads.

Referred to Committee on Railroads.

Mr. Peet presented a petition from citizens of Clayton and Delaware counties asking that certain changes be made in the present form of county government.

Referred to Committee on County and Township Organizations.

Mr. Johnston, from Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER:—The Committee on Engrossed Bills ask leave to report that they have examined the following bills, and find the same correctly engrossed:

H. F. No. 169, A bill for an act to amend chapter 98 of the acts of the Twelfth General Assembly, in relation to indebtedness of school districts.

Also, H. F. No. 343, A bill for an act to amend chapter 143 of the acts of the Eleventh General Assembly, in relation to schools.

Also, H. F. No. 170, A bill for an act relinquishing an escheat in Des Moines county, to John Parrott.

JOHNSTON, *from Committee.*

## MESSAGES ON THE SPEAKER'S TABLE.

S. F. No. 212, A bill for an act to legalize the acts of the board of directors of the independent school district of Blakesburg, Wapelo county Iowa, was taken up and read a first and second time, and referred to Committee on Schools.

H. F. No. 267, A bill for an act to legalize the acts of the board of directors of the district township of Delaware, Polk county, &c., was taken up and considered.

On the adoption of the Senate amendment, the yeas and nays were as follows:

The yeas were—

Messrs. Appleton, Ballinger, Beatty of Cedar; Beatty of Jasper; Beresheim, Blackman, Blake, Bliss, Bonewitz, Caldwell, Christoph, Clarke of Iowa; Crawford, Danforth, Davis, Day, Dayton,

Duncan, Durham, Ellsworth, Freeman, Goodspeed, Hall, Hilton, Hovey, Johnston, Kasson, Leahy, Litzenberg, McAllister, McCoy, Miller, Newbold, Peet, Reed, Reuther, Sandry, Schweer, Secor, Skillin, Stedman, Stow, Struthers, Tasker, Teale, Van Deventer, Whitten, Wilson of Keokuk; Wood of Clay; Wood of Story; Wright of Mills; Wright of Van Buren; and Mr. Speaker—Total, 53.

The nays were none.

Absent or excused—

Messrs. Ainsworth, Bergh, Blakely, Booth, Butler, Cadwell, Campbell, Cardell, Carver, Clark, of Benton; Close, Davisson, Draper, Dumont, Duncombe, Ericson, Evans, Flenniken, Gear, Green, Hanan, Hanson, Heberling, Hewitt, Hopkirk, Irish, Keables, Lee, Maxwell, McClure, Merrell, Mills, Morrison, O'Donnell, Paul, Perkins, Pratt, Rice, Rohlf, Rule, Stewart, Tufts, Tuttle, Van Meter, Van Saun, Williams, and Wilson of Washington—Total, 47.

So the amendment was concurred in.

Leave of absence was granted to Messrs. Irish, Bergh, Evans and Butler.

#### BILLS ON SECOND READING.

H. F. No. 158, A bill for an act to amend section 2, chapter 177, of the acts of the Thirteenth General Assembly, was taken up and considered, and ordered engrossed for a third reading.

Mr. Goodspeed moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Bereshiem, Blackman, Blake, Bliss, Bonewitz, Caldwell, Christoph, Clarke, of Iowa; Crawford, Danforth, Davis, Day, Dayton, Duncan, Durham, Ellsworth, Freeman, Goodspeed, Hall, Hewett, Hilton, Hovey, Johnston, Kasson, Leahy, Litzenberg, McCoy, Miller, Newbold, Peet, Reed, Reuther, Sandry, Schweer, Secor, Skillin, Stedman, Stow, Struthers, Tasker, Teale, Tuttle, Van Deventer, Williams, Wilson, of Keokuk; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren, and Mr. Speaker—Total, 55.

The nays were none.

Absent or excused—

Messrs. Bergh, Blakely, Booth, Butler, Cadwell, Campbell, Carver, Clark, of Benton; Close, Davisson, Draper, Dumont, Duncombe, Ericson, Evans, Flenniken, Gear, Green, Hanan, Hanson,

Heberling, Hopkirk, Irish, Keables, Lee, Maxwell, McAllister, McClure, Merrell, Mills, Morrison, O'Donnell, Paul, Perkins, Pratt, Rice, Roalfs, Rule, Stewart, Tufts, Van Meter, Van Saun, Whitten, and Wilson, of Washington—Total, 45.

So the bill passed and the title was agreed to.

H. F. No. 122, A bill for an act to amend chapter 1544 of the Revision of 1860, was taken up and considered.

Mr. Davis moved that further consideration of the bill be postponed until next Thursday, March 21st.

The motion prevailed.

H. F. No. 33, A bill for an act to authorize county auditors to acknowledge deeds and other instruments of writing, was taken up and considered.

The amendment recommended by the committee was adopted.

Mr. Wright, of Mills, moved to amend by including county recorder.

The amendment did not prevail.

The bill was ordered engrossed for a third reading.

H. F. No. 200, A bill for an act to repeal section 1, chapter 8, laws of the Thirteenth General Assembly, &c., was taken up, and in accordance with the recommendation of the committee was indefinitely postponed.

H. F. No. 177, A bill for an act to amend section 17, chapter 173, acts of the Ninth General Assembly, was taken up and considered.

Mr. Ainsworth moved that the bill be indefinitely postponed.

The motion prevailed.

H. F. No. 220, A bill for an act for the organization of independent school districts, was taken up and considered.

Mr. Newbold moved that the bill be indefinitely postponed.

The motion prevailed.

The joint resolution in regard to memorializing Congress for the repeal of the bankrupt law, was taken up and considered, and in accordance with the recommendation of the Committee was indefinitely postponed.

The joint resolution instructing our Representatives and Senators in Congress to favor the one term principal for the office of President, was taken up and considered.

Mr. Stow moved to postpone for one day.

The motion did not prevail.

On the recommendation of the Committee to indefinitely postpone, the yeas and nays were demanded by Messrs. Ballinger and Teale, which were as follows:

The yeas were—

Messrs. Appleton, Beatty of Cedar; Beatty of Jasper; Beresheim, Blackman, Blake, Bliss, Bonewitz, Clarke of Iowa; Crawford, Danforth, Davis, Durham, Ellsworth, Freeman, Hewett, Johnston, Kasson, Leahy Litzenberg, McAllister, McCoy, Miller,



Newbold, Secor, Stedman, Struthers, Teale, Whitten, Williams, Wilson, of Keokuk; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 36.

The nays were—

Messrs. Ainsworth, Ballinger, Caldwell, Christoph, Day, Dayton, Duncan, Goodspeed, Hall, Hilton, Hovey, Peet, Reed, Reuther, Sandry, Schweer, Skillin, Stow, Tasker, Tuttle, and Van Deventer—Total, 21.

Absent or excused—

Messrs. Bergh, Blakely, Booth, Butler, Cadwell, Campbell, Cardell, Carver, Clarke of Benton; Close, Davisson, Draper, Dumont, Duncombe, Ericson, Evans, Flenniken, Gear, Green, Hanan, Hanson, Heberling, Hopkirk, Irish, Keables, Lee, Maxwell, McClure, Merrell, Mills, Morrison, O'Donnell, Paul, Perkins, Pratt, Rice, Rohlf, Rule, Stewart, Tufts, Van Meter, Van Saun, and Wilson of Washington—Total, 43.

So the motion to indefinitely postpone prevailed.

The joint resolution in regard to instructing our delegation in Congress to favor an amendment to the constitution of the United States, making foreign born citizens eligible to the offices of President and Vice President, was taken up and considered, and in accordance with the recommendation of the Committee, was indefinitely postponed.

H. F. No. 214, A bill for an act to prohibit legislators and judicial officers from receiving free passes from railroad companies, was taken up and considered, and in accordance with the recommendation of the Committee, the bill was indefinitely postponed.

H. F. No. 173, A bill for an act fixing the compensation of members of the General Assembly, was taken up and considered.

On motion of Mr. Beresheim, the bill was postponed for one day.

H. F. No. 46, A bill for an act to fix the salaries of public officers, was taken up and considered.

Mr. Hilton moved to recommit the bill to Committee on Compensation of Public Officers.

The motion prevailed.

H. F. No. 211, A bill for an act to amend section 2, chapter 89, of the laws of the Thirteenth General Assembly, &c., was taken up and ordered engrossed for a third reading.

H. F. No. 197, A bill for an act making counties responsible for the collection and payment of school fund interest, &c., was taken up and considered.

Mr. Newbold moved that the bill be passed on file.

The motion prevailed.

H. F. No. 188, A bill for an act to amend chapter 175, Laws of the Thirteenth General Assembly, was taken up and considered, and ordered engrossed for a third reading.

H. F. No. 221, A bill for an act to amend section 2, chapter 100, Laws of the Twelfth General Assembly, was taken up and ordered engrossed for a third reading.

Mr. Ainsworth moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Blackman, Blake, Bliss, Bonewitz, Caldwell, Christoph, Clarke, of Iowa; Crawford, Danforth, Davis, Day, Davton, Durham, Ellsworth, Freeman, Goodspeed, Hall, Hewett, Hilton, Hovey, Johnston, Kasson, Leahy, Litzenberg, McAllister, McCoy, Miller, Newbold, Peet, Reed, Reuther, Sandry, Schweer, Secor, Skillin, Stedman, Stow, Struthers, Tasker, Teale, Tuttle, Van Deventer, Williams, Wilson, of Keokuk; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 54.

The nays were none.

Absent or excused—

Messrs. Ballinger, Bergh, Blakely, Booth, Butler, Cadwell, Campbell, Cardell, Carver, Clark, of Benton; Close, Davisson, Draper, Dumont, Duncan, Duncombe, Ericson, Evans, Flenniken, Gear, Green, Hanan, Hanson, Heberling, Hopkirk, Irish, Keables, Lee, Maxwell, McClure, Merrell, Mills, Morrison, O'Donnell, Paul, Perkins, Pratt, Rice, Rohlf, Rule, Stewart, Tufts, Van Meter, Van Saun, Whitten, and Wilson, of Washington—Total, 46.

So the bill passed, and the title was agreed to.

H. F. No. 148, A bill for an act to amend chapter 95, acts of the Twelfth General Assembly, &c., was taken up, and on motion of Mr. Durham the bill was postponed for one day.

H. F. No. 222, A bill for an act regulating the election of township trustees, and fixing fees thereof, was taken up, and on motion of Mr. Reed, the bill was postponed one day.

S. F. No. 28, A bill for an act to prevent frequent changes in school books, was taken up, and on motion of Mr. Freeman, was postponed one day.

Substitute for H. F. No. 190, A bill for an act to amend chapter 148 of the acts of the Thirteenth General Assembly, was taken up, and on motion of Mr. Reed, was postponed for one day.

H. F. No. 149, A bill for an act to amend sections 1775 and 1984 of the Revision of 1860, in relation to school fund, was taken up, and on motion of Mr. Newbold, was passed on file.

H. F. No. 5, A bill for an act to insure the better professional education of practitioners of medicine, was taken up, and on motion of Mr. Hall, was passed on file.

By leave, Mr. Hall called up H. F. No. 226, A bill for an act to amend section 4055, Revision of 1860.

The bill was taken up and considered with the accompanying substitute.

Mr. Van Deventer moved that the bill be recommitted to Judiciary Committee.

The motion prevailed.

Mr. Leahy moved that when this House adjourn it adjourn till nine o'clock to-morrow, A. M.

The motion prevailed.

The hour having arrived for the consideration of the special order H. F. No. 308, A bill for an act to provide seals for the office of county recorder, on motion of Mr. Danforth the bill was taken up.

Mr. Williams moved to amend by inserting, "Board of supervisors."

The amendment was adopted.

Mr. Danforth moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Blackman, Blake, Bliss, Bonewitz, Caldwell, Clarke, of Iowa; Crawford, Danforth, Day, Dayton, Durham, Ellsworth, Freeman, Goodspeed, Hall, Hewett, Hilton, Hovey, Johnston, Kasson, Leahy, Litzenberg, McAllister, McCoy, Miller, Newbold, Peet, Reed, Reuther, Sandry, Schweer, Secor, Skillin, Stedman, Stow, Struthers, Tasker, Teale, Tuttle, Van Deventer, Whitten, Williams, Wilson, of Keokuk; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren, and Mr. Speaker—Total, 54.

The nays were none.

Absent or excused—

Messrs. Bergh, Blakely, Booth, Butler, Cadwell, Campbell, Cardell, Carver, Christoph, Clark, of Benton; Close, Davis, Davisson, Draper, Dumont, Duncan, Duncombe, Ericson, Evans, Flenniken, Gear, Green, Hanan, Hanson, Heberling, Hopkirk, Irish, Keables, Lee, Maxwell, McClure, Merrell, Mills, Morrison, O'Donnell, Paul, Perkins, Pratt, Rice, Rohlf, Rule, Stewart, Tufts, Van Meter, Van Saun, and Wilson, of Washington—Total, 46

So the bill passed and the title was agreed to.

#### REPORTS OF COMMITTEES.

Mr. Ainsworth, from Judiciary Committee, submitted the following report :

MR. SPEAKER :—Your Committee on Judiciary, to whom was referred H. F. No. 311, A bill for an act to add a section to chapter 118 of the Revision of 1860, and providing for bringing suit in certain cases, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with a substitute, and recommend the passage of the substitute.

L. L. AINSWORTH, *of Committee.*

Mr. Van Deventer, from Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER :—The Committee on Enrolled Bills ask leave to report that they have examined the following bill and find the same correctly enrolled :

H. F. No. 225, A bill for an act to legalize the acts of the officers of the incorporated town of Sharon, Mahaska county, Iowa.

J. VAN DEVENTER, *Chairman.*

By leave Mr. Hall introduced H. F. 359, A bill for an act to authorize cities, incorporated towns, and villages to construct or cause to be constructed, water-works.

Read a first and second time, and referred to Committee on Judiciary.

By leave Mr. Leahy introduced H. F. No. 360, A bill for an act to amend chapter 61 of the Revision of 1860.

Read a first and second time, and referred to Committee on Agriculture.

By leave Mr. Beatty, of Cedar, introduced H. F. No. 361, A bill for an act to prevent persons from plowing in the public highways, &c.

Read a first and second time, and referred to Committee on Roads and Highways.

H. F. No. 115, An act prescribing the qualification of druggists, was taken up, and on motion of Mr. Ellsworth the bill was made a special order for next Friday, March 22d, at 10 o'clock A. M.

H. F. No. 202, A bill for an act to repeal chapter 28, laws of the Eleventh General Assembly, &c., was taken up and considered. The amendment recommended by the committee was adopted.

The House refused to order the bill engrossed for a third reading.

H. F. No. 193, A bill for an act to amend section 711, of the Revision of 1860, was taken up and considered. The amendment recommended by the committee was adopted.

The bill was ordered engrossed and to be read a third time.

On motion of Mr. Beatty, of Jasper, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 19, 1872. }

House convened pursuant to adjournment.

The Speaker in the chair.

Prayer by Rev. P. B. Morgan.

The journal of yesterday was read and approved.

By leave, Mr. Hovey called up S. F. No. 65, A bill for an act making an additional appropriation for the Insane Assylum at Independence.

The bill was taken up and considered.

The amendment recommended by the Committee was adopted.

The bill was ordered engrossed, and to be read a third time.

Mr. Hovey moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty of Cedar; Beatty of Jasper; Beresheim, Bergh, Blakely, Bliss, Bonewitz, Butler, Caldwell, Cardell, Christoph, Clark of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Day, Dayton, Draper, Duncombe, Durham, Ellsworth, Evans, Freeman, Gear, Goodspeed, Green, Hall, Hewett, Hovey, Johnston, Keables, Litzenberg, Maxwell, McAllister, McCoy, Merrell, Miller, Newbold, O'Donnell, Peet, Reed, Renthner, Rohlf, Rule, Sandry, Secor, Skillin, Stedman, Stow, Struthers, Tasker, Teale, Tufts, Tuttle, Van Deventer, Van Meter, Van Sann, Whitten, Williams, Wilson of Keokuk; Wilson of Washington; Wood of Clay; Wood of Story; Wright of Mills; Wright of Van Buren; and Mr. Speaker—Total, 71.

The nays were—

Messrs. Blackman, Campbell, Hilton, Pratt, and Schweer—Total, 5.

Absent or excused—

Messrs. Blake, Booth, Caldwell, Carver, Davisson, Dumont, Duncan, Ericson, Flenniken, Hanan, Hanson, Heberling, Hopkirk, Irish, Kasson, Leahy, Lee, McClure, Mills, Morrison, Paul, Perkins, Rice, and Stewart—Total, 24.

So the bill passed and the title was agreed to.

By leave, Mr. Beresheim call up substitute for H. F. No. 22, A bill for an act for the improvement of streets and alleys.

The substitute was taken up and considered with the bill.

The hour having arrived for the consideration of special order, substitute for H. F. No. 12, on motion of Mr. Gear, the substitute was postponed for one-half hour.

Mr. Beresheim moved that the bill be considered by sections.

The motion prevailed.

The amendments recommended by the Committee were adopted.

Mr. Beresheim moved to amend section 1, by inserting in the fourth line after the word "alley," the words "gutter and sewer," and by striking out the word "or" before the word "alley."

The motion prevailed.

Section one was adopted.

The amendments to section 2, recommended by the committee, were adopted.

Mr. Beresheim moved to amend section 2 as follows, *And provided further*, that in the construction of gutters and sewers, the property abutting or lying along the contemplated improvement, shall not be liable to be assessed for the amount necessary for such improvement, if such improvement is made for the purpose of carrying off surface water, and to keep streets and alleys in good condition, but the costs of such improvements shall be paid out of the general funds.

The amendment was adopted.

Mr. Hall moved to strike out of the 10th and 11th lines, the words "a majority of the persons residing in such city or town, who own the property," and insert "by a number of the owners of property abutting or lying along the contemplated improvement equal to a majority of resident owners of such property."

Mr. Gear moved to amend the amendment by striking out the word "resident."

The motion did not prevail.

The amendment was adopted.

Section 2 was adopted.

Mr. Beresheim moved to amend section 3 by striking out in first line after the word "trustees," all the second line, and in the third line the words "of this act," and also the words, "such petition," and insert after the word "with" in 3d line, "section 2 of this act."

The amendment was adopted.

Section 3 was adopted.

Mr. Hall moved to reconsider the vote by which section 3 was adopted.

The motion prevailed.

Mr. Hall moved to strike out of the first line of section 3 the words "be the duty of," and insert, "be in the discretion of."

The amendment was adopted.

Section 3 was adopted.

Section 4 was adopted.

Mr. Beresheim moved to amend section 5 by, striking out in

third line "as may be provided by ordinance," and insert the words "upon the natural surface without regard to grades, until the streets wherein they are laid shall have been permanently improved."

The amendment prevailed.

The hour having arrived for the special order, H. F. No, 12, Mr. Beresheim moved that the special order be postponed until the bill under consideration is disposed of.

The motion prevailed.

Section six was adopted.

Mr. Gear moved to amend by striking out section 7, and by substituting the following:

Sec. 7. Chapter 65 of the Thirteenth General Assembly, and all other provisions of law, whether general or special, whereby city or town, are hereby authorized to levy special taxes for the improvement of streets are hereby repealed. *Provided*, That this repeal shall not be held to prevent the completion of any public improvement, now ordered or in progress, and shall not invalidate any contract, lien, or tax now made or levied, or to be levied in pursuance of such contract, nor to prevent the collection thereof.

The amendment was adopted.

Section 8 was adopted.

Mr. Leahy moved to reconsider the vote by which the House adopted section 2.

The motion did not prevail.

Mr. Hall moved to amend by substituting a new bill.

The motion did not prevail.

Mr. Leahy moved to reconsider the vote by which section 1 was adopted.

The motion did not prevail.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following joint resolution in which the concurrence of the House is asked.

Joint resolution asking for additional mail facilities.

J. A. T. HULL, *Secretary*.

The bill was ordered engrossed for a third reading.

Mr. Gear moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:



The yeas were—

Messrs. Ainsworth, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Blakely, Bonewitz, Butler, Caldwell, Campbell, Cardell, Christoph, Clarke, of Iowa; Close, Crawford, Danforth, Day, Dayton, Draper, Durham, Evans, Freeman, Gear, Goodspeed, Green, Hall, Heberling, Hewett, Hilton, Hovey, Irish, Johnston, Kasson, Litzenberg, McAllister, McCoy, Merrell, Miller, Newbold, Peet, Reed, Reuther, Rohlf, Rule, Sandry, Schweer, Secor, Skillen, Stedman, Struthers, Tasker, Tufts, Tuttle, Van Deventer, Van Meter, Van Saun, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 65.

The nays were—

Messrs. Appleton, Bliss, Clark, of Benton; Duncombe, Ellsworth, Leahy, O'Donnell, Pratt, and Stow—Total, 9.

Absent or excused—

Messrs. Bergh, Blackman, Blake, Booth, Cadwell, Carver, Davis, Davisson, Dumont, Duncan, Ericson, Flenniken, Hanan, Hanson, Hopkirk, Keables, Lee, Maxwell, McClure, Mills, Morrison, Paul, Perkins, Rice, Stewart, and Teale—Total, 26.

So the bill passed, and the title was agreed to, after inserting after the word "organize," the word "regulate."

Mr. Van Deventer, from Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills ask leave to report that they have examined the following bills, and find the same correctly enrolled:

H. F. No. 267, A bill for an act to legalize the acts of the board of directors of district township of Delaware, Polk county, Iowa.

Also, H. F. No. 125, A bill for an act to legalize the organization and issuing of the bonds of the independent school district of New Cherokee, Iowa.

Also, H. F. No. 147, A bill for an act to legalize the acts of Robert E. Montgomery, clerk district and circuit courts, Pottawattamie county, Iowa.

Also, H. F. No. 109, A bill for an act to legalize the organization of the township of Highland, O'Brien county, Iowa.

Also, S. F. No. 8, A bill for an act to enable civil townships to adopt the provisions of chapter 26 of the laws of the Thirteenth General Assembly, entitled, "An act to restrain stock from running at large."

Also, S. F. No. 195, A bill for an act to legalize appropriations made and county warrants issued by the board of supervisors of Bremer county, Iowa, for bridge purposes.

Also, S. F. No. 105, A bill for an act to legalize the acts of the trustees of New Albany township, Story county, Iowa.

J. VAN DEVENTER, *Chairman.*

Leave was granted to Mr. Irish to call up H. F. No. 341, which was taken up and re-committed to Committee on State University, with instructions to report by to-morrow morning.

Mr. Blakely, by leave, called up H. F. No. 209, which was taken up and referred back to Committee on Agriculture.

Leave of absence was granted to Mr. Duncan.

Messrs. Irish and Kasson obtained leave and had their votes recorded "yea" on the passage of S. F. No. 65, "A bill for an additional appropriation for the Insane Asylum at Independence."

The Speaker announced that the hour for the special order, the consideration of substitute for H. F. No. 12, A bill regulating tariffs on railroads, had arrived.

Mr. Hall moved to reconsider the vote by which the House concurred in the Senate amendment to H. F. No. 267. The consideration of which motion was postponed.

On motion of Mr. O'Donnell the special order was taken up.

Mr. Blakely moved to strike out the thirteenth section of the substitute.

The amendment did not prevail.

Mr. O'Donnell moved to amend section three by striking out the words "loaded and unloaded at the expense of the shipper."

The amendment was adopted.

Mr. Wright, of Mills moved to amend section seven by inserting in the first line, after the word "coal," the words "cord wood."

The amendment was adopted.

Mr. McAllister moved to strike out section twelve.

The motion did not prevail.

Mr. Hall moved to amend section twelve by substituting for said section the following:

If under the operation of this act, the rate authorized will be less for any given station to which shipment is made than to an intermediate station the railroad company may take as freight on such shipment the amount authorized on such shipment to such intermediate station, increased by the rate per mile per ton for the distance beyond such intermediate station.

On motion of Mr. Goodspeed the House adjourned till 2 o'clock P. M.

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Two o'clock, P. M.

House called to order by the Speaker.

The question before the House being the consideration of the amendment offered by Mr. Hall, leave was granted to Mr. Hall to withdraw his amendment.

Mr. Ainsworth moved to strike out section ten. •

The motion did not prevail.

Mr. O'Donnell moved to reconsider the vote by which the House adopted the amendment offered by Mr. Campbell, striking out part of section 10.

The motion prevailed.

The amendment to strike out part of section ten, was not adopted.

Mr. Teale offered the following additional section:

Sec. 14. It shall be the duty of every corporation, or person, owning or operating a railroad in this State, whose line extends into or through any other state or states, to report to the Secretary of State, and to the auditor of each county in this State, through which their road may pass, their tariff of rates for the transportation of all kinds of freight on that portion or portions of their road beyond the limits of this State, which said report shall be sworn to by the president or general manager of the road. Any changes made from time to time in said rates shall be verified and reported in like manner as soon as made. And no such railroad corporation or person shall either directly or indirectly, charge and collect more for the transportation of any kind and quantity of freights over any portion of said railroad lying within this State, than for the transportation of the same quantity of like freight whether by special contract or where a drawback is allowed after deducting the amount of such drawback, over a longer distance on the same line of railroad, whether the same lies within or partly within and partly without the State. This restriction shall apply to all railroads without reference to the gross earnings of the same. Any such corporation or persons failing to file the reports provided for in this section, for one month after the taking effect of this act, or failing to file the report of their changes of rates as herein provided, shall be subject to indictment in any county in this State through which their road may pass, and on conviction thereof shall be fined not less than one thousand dollars, nor more than ten thousand dollars for each month during which such neglect shall continue. Where a railroad in this State is operated and controlled in connection with any road or roads out of this State by the same corporation or person, they shall for the purposes of this section, be regarded as one road without regard to the question of ownership or nature of the connection.

Mr. Van Deventer submitted the following report from Committee on Enrolled Bills:

MR. SPEAKER:—The Committee on Enrolled Bills ask leave to report that they have examined to following bill, and find the same correctly enrolled:

H. F. No. 65, A bill for an act making an additional appropriation for the Iowa Hospital for the Insane, at Independence.

J. VAN DEVENTER, *Chairman.*

On motion of Mr. Pratt, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 20, 1872. }

House convened pursuant to adjournment.

The Speaker, in the Chair.

Prayer by Rev. C. O. Maybee.

The journal of yesterday was read and approved.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has agreed to House amendments to S. F. No. 65, A bill for an act making additional appropriations for the Iowa Hospital for the Insane, at Independence.

J. A. T. HUTT, *Secretary*.

Mr. O'Donnell moved that the special order, substitute for H. F. No. 12, be now taken up and continued until disposed of.

The motion prevailed.

Leave was granted to Mr. Beatty of Cedar, to introduce H. F. No. 362, A bill for an act to amend section 2, of chapter 76, laws of the Tenth General Assembly, in regard to persons required to perform labor upon the public highways.

Read a first and second time, and referred to Committee on Roads and Highways.

Leave was granted to Mr. Hilton to introduce H. F. No. 363, A bill to repeal chapter 132, laws of the Eighth General Assembly.

Read a first and second time, and referred to Committee on Judiciary.

Leave was granted to Mr. Newbold to call up H. F. No. 197, which was taken up and made a special order for Tuesday, March 26, at 9:30 A. M.

Leave was granted Mr. Bliss to introduce H. F. No. 364, an act to legalize the incorporation of the town of Ackley, &c.

Read a first and second time, and referred to Committee on Incorporations.

By leave, Mr. Mills presented a petition from citizens of Cass county, praying for the discontinuance of the Medical Department of the State University.

Referred to Committee on Medical Institutes.

By leave, Mr. Pratt presented a petition from citizens of Floyd county, asking liberal appropriations for the several departments of the State University and Agricultural College.

Passed on file.

Mr. Draper presented a similar petition from citizens of Jasper county, which was referred to Committee on Medical Institutes.

Mr. Whitten presented a petition from physicians of Lucas and Winneshiek counties, remonstrating against any appropriation of money in aid of the Medical Department of the State University.

Referred to Committee on Medical Institutes.

Mr. Cardell presented a petition from citizens of Poweshiek county, praying that the stock law be made general throughout the State.

Referred to Committee on Agriculture.

Mr. Ellsworth presented a petition from citizens of Mahaska county, asking for a liberal support for the educational interests of the State.

Referred to Committee on Medical Institutes.

Mr. Danforth presented a petition from citizens of Howard county, asking for a change in the form of county government.

Referred to Judiciary Committee.

Mr. Teale presented a petition from citizens of Decatur county, asking for a law preventing railroad companies from discriminating against localities.

Referred to Committee on Railroads.

Mr. Wood of Story, presented a petition from Story county, asking liberal aid to State institutions, including the Medical Department of the State University.

Referred to Committee on Medical Institutes.

Leave was granted to Mr. Heberling to introduce H. F. No. 365, A bill entitled an act to amend section 3555, of the Revision of 1860.

Read a first and second time, and referred to Committee on Judiciary.

Leave was granted to Mr. Williams to introduce H. F. No. 366, A bill for an act to authorize clerks of the district and circuit courts, to satisfy mortgages foreclosed in said courts.

Read a first and second time, and referred to Committee on Judiciary.

Mr. Johnston, from Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER:—The Committee on Engrossed Bills ask leave to report that they have examined the following bills, and find the same correctly engrossed:

H. F. No. 262, A bill for an act to legalize the sale of swamp land in Hancock county.

Also, H. F. No. 237, A bill for an act to legalize the donation of swamp land funds in Hamilton county, &c.

Also, H. F. No. 349, A bill for an act to legalize the vacation of town plat of Wittenburg.

Also, H. F. No. 51, A bill for an act to amend section 2, chapter 173, Ninth General Assembly.

Also, H. F. No. 204, A bill for an act to amend section 835, of the Revision of 1860.

Also, H. F. No. 129, A bill for an act to amend section 3, chapter 158, of the Laws of the Thirteenth General Assembly.

Also, H. F. No. 73, A bill for an act to amend section 2, chapter 173, of the Ninth General Assembly.

JOHNSTON, *from Committee.*

Mr. Lee, from Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER:—The Committee on Engrossed Bills ask leave to report that they have examined the following bills, and find the same correctly engrossed :

H. F. No. 188, A bill for an act to amend chapter 175, of the Laws of the Thirteenth General Assembly.

Also, substitute for H. F. No. 22, A bill for an act to authorize and regulate the improvement of streets and alleys, and repealing certain laws relative thereto.

Also, H. F. No. 331, A bill for an act to authorize county auditors to acknowledge deeds, and other instruments in writing.

Also, H. F. No. 308, A bill for an act to provide seals for the office of county recorders.

JOHN M. LEE, *of Committee.*

The question recurring on the amendment offered by Mr. Teale, by adding a new section, the same was taken up and considered.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following bills, in which the concurrence of the House is asked :

S. F. No. 50, A bill for an act to enlarge the Iowa Institution for the education of the blind, and for other purposes.

Also, S. F. No. 197, A bill for an act making further appropriations for the Hospital for the Insane, at Mt. Pleasant.

J. A. T. HULL, *Secretary.*

The amendment offered by Mr. Teale was not adopted.

Mr. Butler moved to amend section 4 by striking out the words "loaded and unloaded at the expense of the shipper."

The amendment was adopted.

Mr. Duncombe moved to amend by striking out all after the enacting clause, and inserting the following :

SECTION 1. *Be it enacted by the General Assembly of the State*

*of Iowa*, That no railroad corporation organized or doing business in this State under any act of incorporation or general law of this State, now in force, or which may hereafter be enacted, shall charge or collect for the transportation of goods, merchandise, or property on its said road, for any distance, any greater amount, as toll or compensation, than is at the same time charged or collected for the transportation of similar quantities of the same class of goods, merchandise, or property over a greater distance upon the same road; nor shall corporations charge different rates for receiving, handling, or delivering freight at different points on its road, or roads connected therewith, which it has a right to use; nor shall any such railroad corporation charge or collect for the transportation of goods, merchandise, or property, over any portion of its road a greater amount as toll or compensation than shall be charged or collected by it for the transportation of similar quantities of the same class of goods, merchandise, or property, over any other portion of its road of equal distance; and all such rules, regulations, or by-laws of any such railroad corporation as fix, prescribe, or establish any greater toll or compensation than is hereinbefore prescribed, are hereby declared to be void.

SEC. 2. No railroad corporation shall charge or collect for passenger fare on its railroad for any distance any greater amount than it at the same time charges or collects for passenger fare over a greater distance upon the same road; nor shall such corporation charge or collect for passenger fare over any portion of its road a greater amount for passenger fare than it charges for the same class over any other portion of its road of equal distance.

SEC. 3. Whenever any railroad corporation, lessee, or otherwise, operates any other railroad in connection with its own road, the provision of this act as to charges for carrying freight and passengers, shall apply to such other road so operated, in like manner, as if the same were a part of the line of road owned by the corporation operating the same, and for such purposes all lines of railroad operated by the same company shall be considered one and the same road.

SEC. 4. The term "railroad corporation" contained in this act, shall be deemed and taken to mean all corporations, companies, or individuals, now owning or operating, or which may hereafter own or operate, any railroad in this State.

Any railroad corporation which shall fix, demand, take, or receive, from any person or persons, any greater toll or compensation for the transportation, receipt, handling, or delivery of goods, or merchandise, in violation of the provisions of this act, shall forfeit and pay for any such offense, any sum not exceeding \$1,000, and costs of suit, including a reasonable attorney's fee, to be taxed by any court where the same is heard, by appeal or otherwise, to be recovered in any action of debt, by the party aggrieved, in any court having jurisdiction thereof.



And any officer, agent, or employee of any such railroad corporation, who shall knowingly and wilfully violate the provisions of this act, shall be liable to the penalties prescribed in this section.

SEC. 5. Any wilful violation of any of the provisions of this act on the part of any railroad corporation, shall be deemed and taken as a forfeiture of its franchise, and such corporation so offending, may be proceeded against by the district attorney, in any circuit or county through or into which its road may run, by *scire facias*, or upon information in the matter of a *quo warranto*, to judgment of ouster and final execution.

SEC. 6. This act shall take effect and be in force from and after its publication in the Iowa State Register, and Iowa Leader, newspapers published in Des Moines, Iowa.

By leave, Mr. Ellsworth offered the following resolution, which was adopted:

*Resolved*, That the use of this hall be tendered to Mrs. J. G. Swisshelm, this evening, for the purpose of delivering a lecture on the subject of woman suffrage.

On motion of Mr. Mills, the House adjourned.

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TWO O'CLOCK, P. M.

House called to order by the Speaker.

The question recurring on the amendment to the amendment offered by Mr. Duncombe.

By leave, Mr. Lee from Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER:—The Committee on Engrossed Bills ask leave to report that they have examined the following bills, and find the same correctly engrossed:

H. F. No. 158, A bill for an act to amend section 2, chapter 177, of the acts of the Thirteenth General Assembly.

Also, H. F. No. 221, A bill for an act to amend section 2, of chapter 100, of the laws of the Twelfth General Assembly, in relation to road laws.

Also, H. F. No. 193, A bill for an act to amend section 711, of the Revision of 1860.

Also, H. F. No. 211, A bill for an act to amend section 2, chapter 89, of the laws of the Thirteenth General Assembly, in relation to the township board of equalization.

JOHN M. LEE, *of Committee.*

By leave, Mr. Clark, of Benton, called up S. F. No. 50, A bill for an act to enlarge the institution for the education of the blind,

&c., which was read a first and second time, and referred to Committee on the Institution for the Education of the Blind.

Mr. Keables submitted the following report from Committee on Federal Relations :

MR. SPEAKER:—Your Committee on Federal Relations, to whom was referred a memorial and joint resolution to Congress relative to homestead settlers on lands claimed by railroads in Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be adopted.

B. F. KEABLES, *Chairman.*

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked :

S. F. No. 190, A bill for an act making appropriations for the Agricultural College and Farm.

J. A. T. HULL, *Secretary.*

Mr. Van Deventer, from Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that on the 19th day of March, 1872, they presented to the Governor for his approval the following bills, viz:

S. F. No. 24, A bill for an act to provide for the establishment and maintenance of free public libraries.

Also, H. F. No. 269, A bill for an act to legalize the annexation of territory to the city of Pella, Iowa.

Also, H. F. No. 212, A bill for an act legalizing the formation of independent school district number one, in Bloomfield township, Polk county, Iowa.

Also, H. F. No. 225, A bill for an act to legalize the acts of the trustees, mayor, and recorder, of the town of Sharon, Iowa.

Also, S. F. No. 65, A bill for an act making an additional appropriation for the Iowa Hospital for the Insane, at Independence.

Also, S. F. No. 8, A bill for an act to enable civil townships to adopt the provisions of chapter 26, of the laws of the Thirteenth General Assembly.

Also, S. F. No. 105, A bill for an act legalizing the acts of the board of trustees of New Albany.

Also, S. F. No. 195, A bill for an act to legalize appropriations made and county warrants issued by the board of supervisors of Bremer county.

Also, H. F. No. 147, A bill for an act entitled an act to legalize the acts of Robert E. Montgomery.

Also, H. F. No. 125, A bill for an act to legalize the organization and issuing of bonds of the independent school district of Cherokee.

Also, H. F. No. 109, A bill for an act to legalize the organization of the township of Highland, in O'Brien county, Iowa.

J. VAN DEVENTER, *Chairman*.

The question recurring on the adoption of the amendment offered by Mr. Duncombe, Messrs. Duncombe and Irish demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beresheim, Booth, Butler, Close, Duncombe, Ellsworth, Heberling, Litzenberg, Maxwell, Merrell, Mills, Perkins, Struthers, Teale, Tuttle, Van Deventer, and Williams—Total, 19.

The nays were—

Messrs. Beatty, of Cedar; Beatty, of Jasper; Bergh, Blackman, Blakely, Bliss, Bonewitz, Cadwell, Caldwell, Campbell, Cardell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Danforth, Davis, Davisson, Day, Dayton, Draper, Durham, Ericson, Evans, Freeman, Gear, Goodspeed, Hall, Hilton, Hopkirk, Hovey, Irish, Johnston, Kasson, Keables, Leahy, Lee, McAllister, McClure, McCoy, Miller, Newbold, O'Donnell, Peet, Pratt, Reed, Renther, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stow, Tasker, Tufts, Van Meter, Van Saun, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; and Wright, of Van Buren; and Mr. Speaker—Total 65.

Absent or excused—

Messrs. Ballinger, Blake, Crawford, Dumont, Duncan, Flenniken, Green, Hanan, Hanson, Hewett, Morrison, Paul, Rice, Rohlf, Stewart, and Whitten—Total, 16.

So the amendment to the amendment did not prevail.

Mr. Duncombe moved to refer the substitute to the Railroad Committee with instructions.

1. To change the charges for freights provided for in this bill, so as to make the maximum charges as high but no higher than the average charges now established by the various railroads in Iowa

2. To provide for the election by the people of railroad commissioners, to whom the subject of tariff charges shall in all cases be referred for their adjudication, and with power to change and fix the tariff in all cases so as to best accommodate the people of the State, and do equal justice to the railroad interests of the State.

Upon the motion to recommit, Mr. Duncombe demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Beresheim, Booth, Butler, Duncombe, Hilton, Leahy, Maxwell, Merrell, Mills, Perkins, Secor, Tuttle, Van Deventer, Williams, Wilson, of Keokuk; Wright, of Mills—Total, 16.

The nays were—

Messrs. Ainsworth, Appleton, Beatty, of Cedar; Beatty, of Jasper; Bergh, Blackman, Blake, Blakely, Bliss, Bonewitz, Cadwell, Caldwell, Campbell, Cardell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Danforth, Davis, Davisson, Day, Dayton, Draper, Durham, Ellsworth, Ericson, Evans, Freeman, Gear, Goodspeed, Green, Hall, Heberling, Hewett, Hopkirk, Hovey, Irish, Johnston, Kasson, Keables, Lee, Litzenberg, McAllister, McClure, McCoy, Miller, Newbold, O'Donnell, Peet, Pratt, Reed, Reuther, Sandry, Schweer, Skillin, Stedman, Stow, Struthers, Tasker, Teale, Tufts, Van Meter, Van Saun, Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Van Buren and Mr. Speaker—Total, 71.

Absent or excused—

Messrs. Ballinger, Crawford, Dumont, Duncan, Flenniken, Hanan, Hanson, Morrison, Paul, Rice, Rohlf, Stewart, and Whitten,—Total, 13.

So the motion to recommit did not prevail.

Mr. Gear moved to amend the substitute by adding the following:

SECTION 14. Each railroad in this State shall keep posted up in each and every freight or passenger station on its line a printed copy of the rates of freight authorized under this law.

The amendment was adopted.

Mr. Leahy moved to amend section 3, by striking out the words "three thousand dollars," and inserting "four thousand dollars."

The motion did not prevail.

Mr. Keables moved to amend by adding an additional section, as follows:

SECTION 13. That no railroad corporation organized or doing business in this State under any act of incorporation or general law of this State, now in force, or which may hereafter be enacted, shall charge or collect for the transportation of goods, merchandise, or property, on its said road, for any distance, any greater amount, as toll or compensation, than is at the same time charged or collected for the transportation of similar quantities of the same class of goods, merchandise, or property over a greater distance upon the same road; nor shall corporations charge different rates for receiving, handling, or delivering freight at different points on its road, or roads connected therewith, which it has a right to use; nor shall any such railroad corporation charge or collect for the transportation of goods, merchandise, or property, over any portion of its road a greater amount as toll or compensation than shall be charged or collected by it for the transportation of similar quantities of the

same class of goods, merchandise, or property, over any other portion of its road of equal distance; and all such rules, regulations or by-laws, of any such railroad corporation as fix, prescribe, or establish any greater toll or compensation than is hereinbefore prescribed, are hereby declared to be void.

SEC. 14. Any railroad corporation which shall fix, demand, take, or receive, from any person or persons, any greater toll or compensation, for the transportation, receipt, handling, or delivery of goods, or merchandise, in violation of the provisions of this act, shall forfeit and pay for any such offense, any sum not exceeding \$1,000, and costs of suit, including a reasonable attorney's fee, to be taxed by any court where the same is heard, by appeal or otherwise, to be recovered in an action of debt, by the party aggrieved, in any court having jurisdiction thereof.

Mr Davisson moved that the House adjourn.

The motion did not prevail.

On the adoption of the amendment, Mr. Keables demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Ainsworth, Beresheim, Bergh, Blackman, Blakely, Booth, Caldwell Cardell, Clark, of Benton; Clarke, of Iowa; Danforth, Davis, Dayton, Durham, Ellsworth, Freeman, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hopkirk, Hovey, Johnston, Keables, Leahy, Litzenberg, Maxwell, McClure, McCoy, Merrell, Miller, Mills, O'Donnell, Peet, Perkins, Secor, Skillin, Stedman, Stow, Struthers, Teale, Van Deventer, Van Meter, and Wright, of Mills—Total, 46.

The nays were—

Messrs. Appleton, Beatty, of Cedar; Beatty, of Jasper; Blake, Bliss, Bonewitz, Butler, Cadwell, Campbell, Carver, Close, Davisson, Day, Draper, Duncombe, Ericson, Evans, Gear, Hilton, Irish, Kasson, Lee, McAllister, Newbold, Pratt, Reed, Ruther, Rule, Sandry, Schweer, Tasker, Tufts, Tuttle, Van Saun, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Van Buren, and Mr. Speaker—Total, 42.

Absent or excused—

Messrs. Ballinger, Crawford, Dumont, Duncan, Flenniken, Hannan, Morrison, Paul, Rice, Rohlfis, Stewart and Whitten.

So the motion to amend prevailed.

On motion of Mr. Butler, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, March 21, 1872. }

The House convened pursuant to adjournment.

The Speaker in the chair.

Prayer by Hon. I. Blakely.

Journal of yesterday read and approved.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following bills without amendment:

H. F. No. 218, A bill for an act to enable cities, towns and counties to settle, adjust and compound their indebtedness and to provide for the payment of the same.

Also, H. F. No. 213, A bill for an act to legalize the organization of the independent school district of Elm Grove, in the township of Bloomfield, Polk county, and Greenfield, Warren county, Iowa.

Also, H. F. No. 78, A bill for an act relating to taxes levied for bridge purposes, with amendments as noted in the bill.

J. A. T. HULL, *Secretary*.

By leave, Mr. Keables called up the joint resolution in regard to the rights of homestead settlers on railroad lands.

The resolution was taken up and adopted.

By leave, Mr. Leahy introduced H. F. No. 367, A bill for an act to amend chapter 26, laws of Thirteenth General Assembly.

Read a first and second time, and referred to Committee on Agriculture.

By leave, Mr. Close presented a petition with accompanying bill, H. F. No. 368, A bill for an act to amend section 2218 of the Rev. of 1860.

The bill was read a first and second time, and referred to Committee on Judiciary.

Leave was granted to Mr. Secor to introduce H. F. No. 369, A bill for an act to legalize the incorporation of the town of Clear Lake, Cerro Gordo county, Iowa.

Read a first and second time, and referred to Committee on Incorporations.

By leave, Mr. Newbold called up S. F. No. 197, An act making further appropriations for Hospital for the Insane at Mount Pleasant.

The bill was read a first and second time, and referred to Committee on Ways and Means.

The House resumed the consideration of the special order, Substitute for H. F. No. 12, A bill for an act prescribing rules and regulations for railroads, &c.

Leave of absence was granted to Messrs. Rule and Campbell.

#### REPORTS OF COMMITTEES.

Mr. Van Deventer, from Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER :—The Committee on Enrolled Bills ask leave to report that they have examined the following bill, and find the same correctly enrolled :

H. F. No. 218, A bill for an act to enable cities, towns, and counties to settle, adjust, and compound their indebtedness, &c.

J. VAN DEVENTER, *Chairman.*

Mr. O'Donnell moved to reconsider the vote by which the House adopted the amendment offered by Mr. Keables.

On the motion to reconsider, Messrs. Butler and Teale demanded the yeas and nays, which were as follows :

The yeas were —

Messrs. Appleton, Beatty, of Cedar; Bliss, Bonewitz, Cadwell, Campbell, Carver, Christoph, Close, Danforth, Davisson, Day, Evans, Freeman, Gear, Goodspeed, Hilton, Irish, Kasson, Leahy, McAllister, Mills, Newbold, O'Donnell, Pratt, Reed, Reuther, Rohlf, Sandry, Schweer, Stewart, Tasker, Tufts, Tuttle, Van Saun, Whitten, Wilson, of Keokuk; Wood, of Story; Wright, of Van Buren; and Mr. Speaker—Total, 40.

The nays were—

Messrs. Ainsworth, Ballinger, Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Blakely, Booth, Butler, Caldwell, Cardell, Clark, of Benton; Clarke, of Iowa; Davis, Dayton, Draper, Duncan, Durham, Ellsworth, Ericson, Green, Hall, Hanan, Hanson, Heberling, Hewett, Hopkirk, Hovey, Johnston, Keables, Lee, Litzenberg, Maxwell, McClure, McCoy, Merrell, Miller, Peet, Perkins, Rice, Secor, Skillin, Stedman, Stow, Struthers, Teale, Van Deventer, Van Meter, Williams, Wilson, of Washington; Wood, of Clay; and Wright, of Mills—Total, 52.

Absent or excused—

Messrs. Crawford, Dumont, Duncombe, Flenniken, Hanan, Morrison, Paul, and Rule—Total, 8.

Mr. Wright of Mills, offered the following amendment :

No railroad operating through, or connection lines of road from any points in Iowa to Chicago, or other points outside this State, shall charge a greater rate per car or per hundred for any through



rate on any of said lines for the different charges of freight shipped by them at a grater rate than their actual minimum charges were during the months of January and February in 1872. Any violation of this section will be subject to the same penalties as are other violations of this act.

On the adoption of the amendment, Mr. Wright, of Mills, demanded the yeas and nays, which were as follows:

The yeas were--

Messrs. Beresheim, Butler, Cadwell, Campbell, Clarke, of Iowa; Close, Danforth, Davisson, Draper, Durham, Ericson, Goodspeed, Keables, Maxwell, Mills, Stedman, Stow, Tuttle, Van Meter, and Wright, of Mills—Total, 20.

The nays were--

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Bergh, Blackman, Blakely, Bliss, Bonewitz, Booth, Caldwell, Cardell, Carver, Christoph, Clark, of Benton; Davis, Day, Dayton, Duncan, Duncombe, Ellsworth, Evans, Freeman, Gear, Green, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Hovey, Irish, Johnston, Kasson, Leahy, Lee, Litzenberg, McAllister, McClure, McCoy, Merrell, Miller, Newbold, O'Donnell, Peet, Pratt, Reed, Reuther, Rice, Rohlf, Sandry, Schweer, Secor, Skillin, Stewart, Struthers, Tasker, Tufts, Van Deventer, Van Saun, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Van Buren; and Mr. Speaker—Total, 70.

Absent or excused—

Messrs. Blake, Carver, Dumont, Flenniken, Hanan, Morrison, Paul, Perkins, Rule, and Teale—Total, 10.

So the amendment was lost.

The House ordered the bill engrossed to be read a third time.

Mr. O'Donnell moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The substitute was read a third time.

Upon the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Bergh, Blackman, Blake, Blakely, Bliss, Bonewitz, Caldwell, Campbell, Cardell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Danforth, Davis, Davisson, Day, Dayton, Draper, Duncan, Durham, Ellsworth, Ericson, Evans, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Hovey, Irish, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, McAllister, McClure, McCoy, Merrell, Miller, Newbold, O'Donnell, Peet, Pratt, Reed, Reuther, Rice, Rohlf, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Teale, Tufts, Van Meter, Whitten, Wilson,

of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Van Buren; and Mr. Speaker—Total, 80.

The nays were---

Messrs. Beresheim, Booth, Butler, Cadwell, Crawford, Duncombe, Maxwell, Mills, Perkins, Tuttle, Van Deventer, Van Saun, Williams, and Wright, of Mills---Total, 13.

Absent or excused—

Messrs. Crawford, Dumont, Flenniken, Hanan, Morrison, Paul, and Rule—Total, 7.

So the substitute was adopted.

Mr. Irish moved to take up H. F. No. 341, A bill for an act to appropriate money for the maintenance of the State University, &c.

The motion prevailed.

By leave, Mr. Williams, from Committee on State University, submitted the following report :

MR. SPEAKER:—Your Committee on State University, to whom was referred H. F. No. 341, A bill for an act to appropriate money for the maintenance of the State University of Iowa, and for additional buildings therefor, and providing a permanent addition to the income thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

JAS. L. WILLIAMS, *Chairman.*

By leave, Mr. Maxwell presented a petition from citizens of Guthrie county, asking for liberal appropriations for the educational interests of the State, including the medical department of the State University.

Referred to Committee on Medical Institutions.

Mr. Bonewitz presented a petition from citizens of Jones county, on the same subject, which was referred to Committee on Medical Institutions.

The bill was taken up and considered.

Mr. Peet moved to amend section 1, as follows:

*Provided*, That no part of the appropriation herein made shall be applied to a medical department.

#### MESSAGE FROM THE GOVERNOR.

The Governor, by his private secretary, Mr. Wm. H. Fleming, presented a message, submitting the report of Hon. J. A. Harvey, Commissioner on the part of the State to adjust certain land claims with the General Government.

The message was passed on file.

Leave was granted to Mr. Peet to withdraw his amendment.

Mr. Whitten moved to amend by striking out section two, and inserting the following:

*Provided, however,* That no part of the appropriation herein made shall be applied to the support of the Medical Department, nor to the payment of the salaries of teachers or professors therein.

Mr. Irish moved that when this House adjourn it be until two o'clock this afternoon:

The motion prevailed.

On motion of Mr. Caldwell the House adjourned.

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Two o'clock, P. M.

House met pursuant to adjournment.

The Speaker in the chair.

The House resumed the consideration of H. F. No. 341.

By leave, Mr. Irish presented various petitions asking for the continuance and liberal support of the Medical Department of the State University.

Referred to Committee on Medical Institutions.

Leave of absence was granted to Mr. Newbold until next Tuesday.

Pending the consideration of H. F. No. 341, on motion of Mr. Beatty, of Cedar, the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, March 22, 1872. }

House convened pursuant to adjournment.

The Speaker in the chair.

Prayer by Rev. Mr. Frisbie.

Journal of yesterday was read and approved.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bills, in which the concurrence of the House is asked:

S. F. No. 83, A bill for an act to define and punish misdemeanors in the buying, selling and delivery of corn, grain and other

articles, and to punish the change of scales and standards fixed by law for weights and measures.

Sub. for S. F. 159, A bill for an act relating to the collection of taxes voted to aid in the construction of railroads in the counties of Clinton and Jackson.

Also, S. F. No. 171, A bill for an act to regulate the intersection of railroad tracks near the Mississippi River.

J. A. T. HULL, *Secretary*.

By leave, Mr. Pratt offered the following resolution, which was adopted :

*Resolved.* That when this House adjourn it will adjourn until to-morrow morning at nine o'clock.

Mr. Dumont obtained leave and had his vote recorded "yea" on the railroad tax bill, H. F. No. 279.

#### REPORTS OF COMMITTEES.

Mr. Ellsworth, from the Committee on Medical Institutions, submitted the following report :

MR. SPEAKER :—Your Committee on Medical Institutions, to whom was referred H. F. No. 315, A bill for an act to protect the people of Iowa from empericism, &c., beg leave to report that they have had the same under consideration, and have instructed me to report the same back without recommendation.

Also, H. F. No. 4, A bill for an act to protect the people of Iowa from empericism, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House without recommendation.

Also, H. F. No. 304, A bill for an act to protect the people of Iowa from empericism and imposition in the practice of medicine and surgery, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House without recommendation.

L. F. ELLSWORTH, *Chairman*.

Mr. Hopkirk, from Committee on Roads and Highways, submitted the following report :

MR. SPEAKER :—Your Committee on Roads and Highways, to whom was referred H. F. No. 362, A bill for an act to amend section 2, chapter 76, of the laws of the Tenth General Assembly, in regard to persons required to perform labor on the public highway, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, H. F. No. 361, A bill for an act to prevent persons from plowing in the public highways, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, H. F. No. 318, A bill for an act to amend Chapter 100, of the acts of the Twelfth General Assembly, prescribing the duties of township trustees and road supervisors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

HOPKIRK, *Chairman.*

Mr. Tufts, from special committee, appointed to visit the Insane Asylum, submitted a report, which was passed on file and ordered printed.

Leave of absence was granted to Messrs. Bliss and Wood of Story, and Wright of Van Buren.

The question before the House being the consideration of H. F. No. 341, Mr. Irish moved to take up the order and continue the same until it be disposed of.

Mr. Ainsworth moved to amend the amendment so that it shall read, "strike out section 2."

The amendment to the amendment was adopted.

And the amendment as amended was adopted.

Mr. Leahy moved to strike out of the third and fourth lines of section 3, the words, "an amount equal to (1-10) one-tenth of one mill on each dollar of the valuation of the State, fixed by the census board the said amount," and inserting in lieu of the same, "\$15,000) fifteen thousand dollars."

Mr. Hopkirk moved to amend the amendment by striking out "\$15,000" and inserting "\$12,500."

The amendment to the amendment was lost.

The amendment offered by Mr. Leahy did not prevail.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER :—I am directed to inform your honorable body that the Senate has passed the following preamble and joint resolution, in which the concurrence of the House is asked :

Memorial and joint resolution of the legislature of Iowa in relation to the Niagara Ship Canal.

W. L. VESTAL, *First Ass't Secretary.*

Mr. Evans moved to strike out section 3.  
The motion prevailed.

Mr. Hilton offered a substitute for the whole bill, which was lost.

Mr. Whitten offered the following amendment to section 1 :

*Provided, however,* That no part of the appropriation herein made shall be applied to the support of the Medical Department, nor to the payment of the salaries of teachers or professors therein.

On the adoption of the amendment the yeas and nays were demanded, and were as follows :

The yeas were—

Messrs. Appleton, Ballinger, Beatty of Cedar ; Blackman, Blakely, Cadwell, Clark, of Benton ; Danforth, Davis, Day, Duncan, Durham, Goodspeed, Hanson, Johnston, Keables, Leahy, Lee, McClure, McCoy, Peet, Rice, Struthers, Tasker, Teale, Tufts, Van Meter, Van Sann, Whitten, and Wright of Van Buren—Total, 30.

The nays were—

Messrs. Ainsworth, Beatty of Jasper ; Beresheim, Bergh, Blake, Bonewitz, Booth, Butler, Caldwell, Campbell, Cardell, Clarke, of Iowa ; Close, Davisson, Dayton, Draper, Duncombe, Ellsworth, Ericson, Evans, Freeman, Gear, Green, Hall, Heberling, Hewett, Hilton, Hopkirk, Hovey, Irish, Kasson, Litzenberg, Maxwell, McAllister, Merrell, Miller, Mills, O'Donnell, Perkins, Pratt, Reed, Reuther, Rohlf, Sandry, Schweer, Skillin, Stewart, Stow, Tuttle, Van Deventer, Williams, Wilson of Keokuk ; Wilson, of Washington ; Wood of Clay ; Wood of Story ; Wright of Mills ; and Mr. Speaker—Total, 57.

Absent or excused—

Messrs. Bliss, Carver, Christoph, Crawford, Dumont, Flenniken, Hanan, Morrison, Newbold, Paul, Rule, Secor, and Stedman—Total, 13,

So the amendment did not prevail.

Mr. Hopkirk moved to amend section 1 by striking out \$52,300, and inserting \$25,000.

Mr. Leahy offered the following substitute for the amendment :

Strike out all after the enacting clause and insert, "That for the use and support of the State University during the next two years there is appropriated out of any money in the State University not otherwise appropriated the sum of thirty thousand dollars, one-half that sum to be paid to the treasurer of the State University annually, upon the order of the executive committee, countersigned by the secretary of the board of trustees, and addressed to the State Treasurer."

Mr. Mills moved to adjourn.

The motion did not prevail.

Leave of absence was granted to Mr. Beresheim.

On the adoption of the amendment to the amendment the yeas and nays were demanded and were as follows :

The yeas were—

Messrs. Appleton, Ballinger, Beatty, of Cedar ; Beatty, of Jasper ; Blakely, Davis, Davisson, Draper, Dumont, Goodspeed,

Johnston, Leahy, Lee, Litzenberg, Miller, Peet, Rice, Schweer, Tasker, Teale, Van Meter, and Wright, of Van Buren—Total, 22.

The nays were—

Messrs. Ainsworth, Bergh, Blackman, Blake, Bonewitz, Booth, Butler, Cadwell, Caldwell, Campbell, Cardell, Clark, of Benton; Clarke, of Iowa; Danforth, Day, Dayton, Duncombe, Durham, Ellsworth, Ericson, Freeman, Gear, Green, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Hovey, Irish, Kasson, Keables, Litzenberg, Maxwell, McClure, McCoy, Merrell, Mills, O'Donnell, Perkins, Pratt, Reed, Reuther, Rohlf, Sandry, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tufts, Tuttle, Van Deventer, Van Sann, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; and Mr. Speaker—Total, 65.

Absent or excused—

Messrs. Beresheim, Bliss, Carver, Christoph, Crawford, Evans, Flenniken, Hanan, McAllister, Morrison, Newbold, Paul, Rule—Total, 13.

So the amendment to the amendment did not prevail.

Leave of absence was granted to Mr. Evans.

Mr. Goodspeed moved to amend section one, by adding the following:

*Provided*, That no part of the money appropriated in this section shall be paid to any teacher or professor in the Medical Department in said University unless he is a believer in Homœopathy and will teach that doctrine.

On the adoption of this amendment the yeas and nays were demanded, and were as follows :

The yeas were—

Messrs. Ballinger, Beatty, of Cedar; Blakely, Close, Goodspeed, McCoy and Peet—Total, 7.

The nays were—

Messrs. Ainsworth, Appleton, Beatty, of Jasper; Bergh, Blake, Bonewitz, Butler, Cadwell, Caldwell, Campbell, Cardell, Clark, of Benton; Clarke, of Iowa; Danforth, Davis, Davisson, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Freeman, Gear, Green, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Hovey, Irish, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, Maxwell, McClure, Merrell, Mills, O'Donnell, Perkins, Pratt, Reed, Reuther, Rice, Rohlf, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Teale, Tufts, Tuttle, Van Deventer, Van Meter, Van Sann, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren, and Mr. Speaker—Total, 77.

Absent or excused—

Messrs. Beresheim, Blackman, Bliss, Booth, Carver, Christoph,



Crawford, Evans, Hanan, McAllister, Miller, Morrison, Newbold, Paul, Rule and, Flenniken—Total, 16.

So the amendment was lost.

The question recurring on the amendment offered by Mr. Hopkirk, the amendment was lost.

Mr. Keables offered a substitute for the whole bill.

On the adoption of the substitute, the yeas and nays were demanded, and were as follows:

The yeas were—

Messrs. Ballinger, Beatty, of Cedar; Beatty, of Jasper; Butler, Caldwell, Campbell, Carver, Clark, of Benton; Close, Dauforth, Davisson, Day, Draper, Dumont, Duncan, Durham, Goodspeed, Hilton, Johnston, Keables, Lee, McAllister, Miller, Peet, Rice, Tasker, Teale, Van Meter, Van Sann, Whitten, and Wright, of Van Buren—Total, 31.

The nays were—

Messrs. Ainsworth, Appleton, Bergh, Blackman, Blake, Blakely, Bonewitz, Booth, Caldwell, Cardell, Clarke, of Iowa; Davis, Dayton, Duncombe, Ellsworth, Ericson, Freeman, Gear, Green, Hall, Heberling, Hewett, Hopkirk, Hovey, Irish, Kasson, Leahy, Litzenberg, Maxwell, McClure, McCoy, Merrell, Mills, O'Donnell, Perkins, Pratt, Reed, Reuther, Rohlis, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tufts, Tuttle, Van Deventer, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; and Mr. Speaker—Total, 57.

Absent or excused—

Messrs. Beresheim, Bliss, Christoph, Crawford, Evans, Flenniken, Hanan, Hanson, Morrison, Newbold, Paul, and Rule—Total, 12.

So the substitute was not adopted.

Mr. Peet moved that the House adjourn.

The motion was not agreed to.

Leave of absence was granted to Messrs. Whitten, McCoy, Caldwell, Hilton, and the Sergeant-at-Arms.

Mr. Hopkirk moved to amend by striking out "\$52,500," and inserting "\$26,000."

The amendment did not prevail.

Mr. Leahy offered the following amendment, which was lost:

*Provided*, That no part of the money appropriated shall be paid to the medical chairs, unless the different kinds of medical practice are represented by chairs in the medical department.

The bill was ordered engrossed, and to be read a third time.

On motion of Mr. Irish the rule was suspended, the bill was considered engrossed, and read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Ballinger, Beatty of Jasper; Bergh, Blackman, Blake, Bonewitz, Booth, Butler, Cadwell, Caldwell, Campbell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Danforth, Day, Dayton, Draper, Dumont, Duncombe, Ellsworth, Ericson, Freeman, Gear, Green, Hall, Hanson, Heberling, Hewitt, Hovey, Irish, Kasson, Keables, Leahy, Litzenberg, Maxwell, McAllister, McClure, Merrell, Miller, Mills, O'Donnell, Perkins, Pratt, Reed, Renther, R. hifs, Sandry, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Tufts, Tuttle, Van Deventer, Van Saun, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright of Mills; and Mr. Speaker—Total, 70.

The nays were—

Messrs. Appleton, Beatty, of Cedar; Blakely, Davis, Davisson, Duncan, Durham, Goodspeed, Hilton, Hopkirk, Johnston, Lee, McCoy, Peet, Rice, Schweer, Teale, Van Meter, and Wright, of Van Buren—Total, 18.

Absent or excused—

Messrs. Beresheim, Bliss, Christoph, Crawford, Evans, Flenniken, Hanan, Morrison, Newbold, Paul, Rule, and Secor—Total, 12.

So the bill passed.

Mr. Irish moved to amend the title by striking out all after the word "Iowa."

The motion prevailed and the title as amended was agreed to.

On motion of Mr. Rohlf, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 23, 1872. }

House convened pursuant to adjournment.

The Speaker in the chair.

Prayer by Hon. L. H. Ellsworth.

Journal of yesterday read and approved.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following bills, in which the concurrence of the House is asked :

S. F. No. 18, A bill for an act for the relief of Jasper county for money stolen from the county safe.

Also, S. F. No. 61, A bill for an act for the relief of Marion county, Iowa.

J. A. T. HULL, *Secretary*.

Leave of absence was granted to Mr. Irish.

By leave, Mr. Kasson called up S. F. No. 190, A bill for an act making appropriations for the Agricultural College and Farm, which was referred to Committee on Ways and Means.

By leave, Mr. Goodspeed called up H. F. No. 62, which was made a special order for March 26, at 11 o'clock A. M.

On motion of Mr. O'Donnell the joint resolution on Niagara Ship Canal was taken up, and adopted.

By leave, Mr. Pratt introduced H. F. No. 370, A bill for an act to punish gambling on the railroads in this State.

Read a first and second time, and referred to Committee on Judiciary.

Also, H. F. No. 371, A bill for an act to amend section 4244 of the Revision of 1860.

Read a first and second time, and referred to Committee on Judiciary.

Also, H. F. No. 372, A bill for an act to amend chapter 87 of the Laws of the Thirteenth General Assembly.

Read a first and second time, and referred to Committee on Judiciary.

By leave, Mr. Reed called up S. F. No. 159, A bill for an act relating to the collection of taxes voted to aid in construction of railroad in the counties of Clinton and Jackson.

Read a first and second time.

By leave, Mr. Maxwell introduced H. F. No. 373, A bill for an act relating to certain duties of assessors, county treasurers, and auditors.

Read a first and second time, and referred to Committee on Judiciary.

By leave, Mr. Butler called up H. F. No. 4, and moved to make it the special order for March 28.

The motion prevailed.

By leave, Mr. Tufts introduced H. F. No. 374, A bill for an act to amend chapter 109, of the acts of the Thirteenth General Assembly.

Read a first and second time, and referred to Committee on Ways and Means, and ordered printed.

Mr. Merrell moved to take up S. F. No. 159.

The motion prevailed.

On motion of Mr. Merrell the rule was suspended, the bill considered engrossed, and read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Bergh, Blake, Blakely, Bliss, Bonewitz, Booth, Butler, Cadwell, Campbell, Cardell, Carver, Close, Danforth,

Davis, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hopkirk, Hovey, Johnston, Kasson, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, Merrell, Miller, Mills, O'Donnell, Peet, Perkins, Pratt, Reed, Renther, Rice, Rolfs, Sandry, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tufts, Tuttle, Van Deventer, Van Meter, Van Sann, Whitten, Williams, Wilson, of Washington; Wood, of Clay; and Wright, of Mills—Total, 73.

The nays were Mr. Davison.

Absent or excused—

Messrs. Beresheim, Blackman, Caldwell, Christoph, Clark, of Benton; Clarke, of Iowa; Crawford, Evans, Flenniken, Hanan, Hilton, Irish, Keables, McCoy, Morrison, Newbold, Paul, Rule, Schweer, Tasker, Teale, Wilson, of Keokuk; Wood, of Story; Wright, of Van Buren; and Mr. Speaker—Total, 26.

So the bill passed and the title was agreed to.

#### REPORTS OF COMMITTEES.

Mr. Lee, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER:—The Committee on Engrossed Bills ask leave to report that they have examined the following bill, and find the same correctly engrossed:

Sub. for H. F. No. 12, A bill for an act to prescribe rules and regulations for railroads, and to establish uniform and reasonable maximum rates of tariff for the transportation of certain freights thereon.

JOHN M. LEE, *of Committee.*

Mr. McAllister, from the Committee on Incorporations, submitted the following report:

MR. SPEAKER:—Your Committee on Incorporations, to whom was referred H. F. No. 336, A bill for an act to continue the incorporation of the town of Richland, Keokuk county, Iowa, and legalizing the acts of the officers of said town, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended by striking out the words "made binding," in the fourth line of second section, and inserting instead "made as valid as if the same had been done in strict accordance with the law," and when so amended that it do pass.

Also, H. F. No. 367, A bill for an act to legalize the levy of certain taxes in the townships of Monroe and Jefferson, in the county of Johnson, in the State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report

the same back to the House with the recommendation that it do pass.

Also, S. F. No. 136, A bill for an act to provide for surveying lands or lots in certain cases, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, S. F. No. 16, A bill for an act to legalize the annexation of certain territory to the city of Knoxville, in the county of Marion, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, S. F. No. 32, A bill for an act authorizing municipal corporations to levy poll-tax, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended by striking out of the second section the words "the sum of one dollar and twenty-five cents," and insert in lieu thereof, "any sum not exceeding two dollars." When so amended committee recommend the passage of the bill.

McALLISTER, *Chairman.*

Leave of absence was granted to Mr. Schweer.

By leave, Mr. Wright, of Mills, from Committee on Orphans' Home, submitted the following report:

MR. SPEAKER:—Your Committee on Orphans' Home, to whom was referred H. F. No. 21, A bill for an act making additional appropriations for Iowa Soldiers' Orphans' Homes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, recommending the accompanying substitute, and that it do pass.

A. R. WRIGHT, *Chairman.*

Mr. Kasson, from Committee on Ways and Means, submitted the following report:

MR. SPEAKER:—Your Committee on Ways and Means, to whom was referred S. F. No. No. 98, A bill for an act to amend section 3305, Revision of 1860, exempting sewing machines from execution, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, S. F. No. 110, A bill for an act to legalize the levy of certain taxes in the townships of Monroe and Jefferson, in the county of Johnson, and State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass

Also, H. F. No. 281, A bill for an act to regulate the assessments on pork-packers and commission merchants, and to amend section 723 of Revision of 1860, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

JOHN A. KASSON, *Chairman.*

By leave, Mr. O'Donnell called up S. F. No. 171, which was read first and second times, and referred to Committee on Railroads.

By leave, Mr. Hall called up H. F. No. 267.

The bill was taken up.

The motion made heretofore by Mr. Hall to reconsider the vote by which the House concurred in the Senate amendment was taken up and considered.

Mr. Van Deventer, from Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills ask leave to report that they have examined the following bill, and find the same correctly enrolled:

H. F. No. 213, A bill for an act to legalize the organization of the independent school district of Elm Grove.

J. VAN DEVENTER, *Chairman.*

Mr. Kasson moved to postpone the motion to reconsider until next Wednesday, 10 A. M., March 27.

The motion prevailed.

By leave, Mr. Ericson called up H. F. No. 234, A bill for an act to legalize the incorporation of the Des Moines, Boone & Northern Railway Company, and certain of its acts and contracts.

The bill was taken up and considered.

Mr. Ericson offered the following amendment: After the word "Hamilton," in the preamble, insert "Webster."

The amendment was adopted.

On motion of Mr. Ericson the rule was suspended, the bill was considered engrossed and read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Bergh, Blakely, Bonewitz, Butler, Cadwell, Cardell, Carver, Christoph, Close, Danforth, Davis, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hopkirk, Hovey, Johnston, Kasson, Leahy, Lee, Litzenberg, McAllister, McClure, Miller, Mills, Peet, Perkins, Pratt, Reed,

Rice, Reuther, Rohlf, Sandry, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tufts, Tuttle, Van Deventer, Van Meter, Van Sann, Williams, Wilson of Washington; Wood, of Clay; Wright, of Mills; and Mr. Speaker—Total, 68.

The nays were none.

Absent or excused—

Messrs. Beresheim, Blackman, Blake, Bliss, Booth, Caldwell, Campbell, Clark, of Benton; Clarke, of Iowa; Crawford, Davisson, Evans, Flenniken, Hanan, Hilton, Irish, Keables, Maxwell, McCoy, Merrell, Morrison, Newbold, O'Donnell, Paul, Rule, Schweer, Tasker, Teale, Whitten, Wilson, of Keokuk; Wood, of Story, and Wright, of Van Buren—Total, 33.

So the bill passed and the title was agreed to.

By leave, Mr. Carver, from Committee on Reform School, made the following report:

MR. SPEAKER:—Your Committee on Reform School, to whom was referred S. F. No. 21, A bill for an act to permanently locate the State Reform School, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended as follows, to-wit: Insert in section 2 after the word "commissioners" in 4th line, the words "to make said location, and;" also, in section 3, after the word "State" in 7th line insert "said location shall be made in a healthy place, where fuel and building materials are abundant and cheap, and easily accessible from all parts of the State;" also, in section 5, after the word "the" in the 13th line, insert the words "treasurer of the;" also, in section 6, after the word "duties," in the 5th line, insert the words "as such commissioners," and with said amendments that it do pass.

JOHN H. CARVER, *Chairman*.

Mr. Kasson obtained leave to call up H. F. No. 306, A bill for an act relating to the payment of the managers and officers of the State Institutions.

The bill was taken up and considered.

On motion of Mr. Kasson the rule was suspended, the bill considered engrossed and read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Blakely, Booth, Butler, Cadwell, Cardell, Cloe, Davis, Dayton, Draper, Duncan, Duncombe, Durham, Ellsworth, Ericson, Freeman, Gear, Goodspeed, Hall, Hanson, Heberling, Hopkirk, Hovey, Johnston, Kasson, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, Miller, Mills, Perkins, Pratt, Reed, Rice, Sandry, Secor, Skillin, Stedman, Stewart, Struthers, Teale, Tufts,



Tuttle, Van Meter, Van Saun, Williams, Wilson, of Washington; and Wood, of Clay—Total, 54.

The nays were—

Messrs. Ainsworth, Bergh, Bonewitz, Christoph, Davisson, Day, Dumon, Green, Merrell, Reuther, Rohlf, Stow, and Wright, of Mills—Total, 13.

Absent or excused—

Messrs. Beresheim, Blackman, Blake, Bliss, Caldwell, Campbell, Carver, Clark, of Benton; Clarke, of Iowa; Crawford, Danforth, Evans, Flenniken, Hanan, Hewett, Hilton, Irish, Keables, McCoy, Morrison, Newbold, O'Donnell, Paul, Peet, Rule, Schweer, Tasker, Van Deventer, Whitten, Wilson, of Keokuk; Wood, of Story; Wright, of Van Buren; and Mr. Speaker—Total, 43.

So the bill passed and the title was agreed to.

By leave, Mr. Kasson called up H. F. No. 308, A bill for an act to provide seals for the office of the county recorder.

The bill was taken up and considered.

On motion of Mr. Kasson the rule was suspended, the bill considered engrossed, and read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Bergh, Blakely, Bonewitz, Booth, Campbell, Cardell, Carver, Christoph, Close, Danforth, Davis, Davisson, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hopkirk, Hovey, Johnston, Kasson, Leahy, Lee, Litzenberg, McAllister, McClure, Miller, Mills, Peet, Perkins, Pratt, Reuther, Rice, Rohlf, Sandry, Secor, Skillin, Stedman, Stow, Struthers, Teale, Tufts, Tuttle, Van Deventer, Van Meter, Van Saun, Williams, Wilson, of Washington; Wood, of Clay; and Wright of Mills—Total, 66.

The nays were—

Messrs. Reed and Stewart—Total, 2.

Absent or excused—

Messrs. Beresheim, Blackman, Blake, Bliss, Butler, Cadwell, Caldwell, Clark, of Benton; Clarke, of Iowa; Crawford, Evans, Flenniken, Hanan, Hewett, Hilton, Irish, Keables, Maxwell, McCoy, Merrell, Morrison, Newbold, O'Donnell, Paul, Rule, Schweer, Tasker, Whitten, Wilson, of Keokuk; Wood, of Story; Wright, of Van Buren; and Mr. Speaker—Total, 32.

So the bill passed and the title was agreed to.

By leave, Mr. Kasson called up H. F. No. 307, A bill for an act to facilitate the collection of delinquent State taxes.

The bill was taken up and considered.

Mr. Kasson moved to amend by striking out "given the proper credit to the county and."

The motion prevailed.

On motion of Mr. Kasson, the rule was suspended, the bill considered engrossed, and was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Beatty, of Cedar; Beatty, of Jasper; Bergh, Bonewitz, Booth, Campbell, Cardell, Close, Danforth, Day, Hall, Heberling, Hopkirk, Johnston, Kasson, Leahy, Lee, Litzenberg, McAllister, McClure, Miller, Mills, Teale, Tufts, Tuttle, Van Meter, Wilson, of Washington; and Wright, of Mills—Total, 28.

The nays were—

Messrs. Ainsworth, Appleton, Ballinger, Blakely, Christoph, Davis, Davisson, Dayton, Duncan, Duncombe, Durham, Ellsworth, Freeman, Gear, Goodspeed, Green, Hanson, Hovey, Merrill, Peet, Perkins, Reed, Renther, Rice, Rohlf, Sandry, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Van Deventer, Van Sann, Williams, and Wood, of Clay—Total, 36.

Absent or excused—

Messrs. Beresheim, Blackman, Blake, Butler, Cadwell, Caldwell, Carver, Clark, of Benton; Clarke, of Iowa; Crawford, Draper, Dumont, Ericson, Evans, Flenniken, Hanan, Hewett, Hilton, Irish, Keables, Maxwell, McCoy, Morrison, Newbold, O'Donnell, Paul, Pratt, Rule, Schweer, Tasker, Whitten, Wilson, of Keokuk; Wood, of Story; Wright, of Van Buren; and Mr. Speaker—Total, 35.

So the bill did not pass.

Mr. Durham, from Committee on Charitable Institutions, submitted the following report on petitions from Jackson county, in regard to an orphans' asylum at Andrew in said county:

MR. SPEAKER:—Your Committee on Charitable Institutions, to whom was referred the petition of a large number of citizens of Jackson and other counties; also a memorial from the board of supervisors of Jackson county, asking for an appropriation to pay an indebtedness upon an asylum for orphans in the county of Jackson, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that they be referred to Committee on Ways and Means.

D. T. DURHAM, *Chairman*.

Mr. Reed moved that the petitions be recommitted to Committee on Orphans' Homes.

The motion prevailed.

By leave, Mr. Heberling introduced H. F. No. 375, A bill for an act entitled an act to amend section 3, chapter 160, Laws of the Twelfth General Assembly.

Read a first and second time, and referred to Committee on Compensation of Public Officers.

By leave, Mr. Tuttle introduced H. F. No. 376, A bill for an act for the protection of physicians and surgeons in cases of alleged mal-practice, and the citizens of the State of Iowa from quackery in the profession of medicine.

Read a first and second time, and referred to Committee on Medical Institutions.

By leave, Mr. Beatty, of Cedar, introduced H. F. No. 377, A bill for an act to fix the compensation of the officers and employees of future General Assemblies.

Read a first and second time, and referred to Committee on Compensation of Public Officers.

By leave, Mr. Teale, from Committee on Suppression of Intemperance, submitted the following report:

MR. SPEAKER:—Your Committee on the Suppression of Intemperance, to whom was referred H. F. No. 66, A bill for an act making persons selling, giving away, or otherwise disposing of intoxicating liquors responsible for any loss or damage resulting from the use of the same, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass, with the following amendments: Strike out the words “provided that the provisions of this act shall not be construed to prohibit the manufacturing or sale of wine, beer, or cider.”

Also, insert in the 8th line of section 4, after the words “liquors,” the words “after notice given in writing by any person to the owner or agent of said property, that said property is being used for such purpose.”

TEALE, *Chairman.*

On motion of Mr. Teale, H. F. No. 66, was made the special order for March 26th, at 10 o'clock, A. M.

By leave, Mr. Miller presented a petition from the board of directors of the district township of Washington, Appanoose county, asking that the office of county superintendent be abolished.

Referred to Committee on Schools.

By leave, Mr. Rohlf, from Committee on Compensation of Public Officers, submitted the following report:

MR. SPEAKER:—Your Committee on Compensation of Public Officers, to whom was referred H. F. No. 46, A bill for an act to fix the salaries of county officers, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended as follows:

Strike out all of section 1 after the word “follows,” in the fourth line, and insert therefor the following: “it shall in no case be less than five hundred dollars, nor more than two thousand dollars, and

if the last census taken by the State or United States shows a population of one thousand or less, the salary shall be five hundred dollars, and the salary shall be increased one hundred dollars for each additional thousand inhabitants, until the salary reaches the sum of one thousand dollars, and then at fifty dollars until the population of the county reaches fifteen thousand inhabitants, and then twenty-five dollars for each additional thousand thereafter, until the salary reaches two thousand dollars," and as so amended do pass.

Also, a petition from citizens of Ida county, asking for the passage of a law by which the board of supervisors may have discretionary power to pay the retiring board for extra services rendered the county; and also a remonstrance from citizens of Ida county against such act, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that no action be taken in this matter.

M. J. ROHLFS, *Chairman*.

By leave, Mr. Ellsworth introduced H. F. No. 378, A bill for an act defining the office of adjutant general, pay-master general, and quarter-master general, fixing the salary of said office, and providing for the number of employees in the arsenal, and providing books, postage, and stationery for said office.

Read a first and second time, and referred to Committee on Military Affairs.

By leave, Mr. Freeman, from Committee on Military Affairs, submitted the following report:

MR. SPEAKER:—Your Committee on Military Affairs, to whom was referred H. F. No. 157, A bill for an act to abolish the office of adjutant general, inspector general, and pay-master general, and to provide for the appointment of a secretary to discharge the duties of said offices, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

J. H. FREEMAN, *Chairman*.

By leave, Mr. Draper offered a joint resolution authorizing the census board to exchange certain lots in Des Moines.

Referred to Committee on Ways and Means.

By leave, Mr. Struthers introduced H. F. No. 379, A bill for an act to legalize and confirm the sale and conveyance of the swamp lands of Pocahontas county, which are now patented to said county.

Read a first and second time, and referred to Committee on Judiciary.

By leave, Mr. Durham, from the Committee on Charitable Institutions, submitted the following report:

MR. SPEAKER:—Your Committee on Charitable Institutions, to whom was referred the petition of forty-seven citizens of Dallas county, asking for the establishment of a reformatory institution for girls, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be referred to the Committee on Reform School.

D. T. DURHAM, *Chairman*.

The report of the Committee was adopted, and the petitions were referred to Committee on Reform Schools.

On motion of Mr. Goodspeed, the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 25, 1872. }

House convened pursuant to adjournment.

The Speaker *pro tem.*, in the Chair.

Prayer by Rev. W. J. Gill.

The journal of last day's proceedings was read and approved.

Leave was granted to Mr. Merrell to call up H. F. No. 42, A bill for an act amending section 781 of the Revision of 1860.

The bill was taken up and considered.

Leave of absence was granted to Messrs. Stow, Durham, Danforth, and Wilson, of Washington.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has agreed to House amendments to S. F. No. 159, A bill for an act for the abatement of taxes in certain cases voted to aid in the construction of railroads."

W. L. VESTAL, *1st Assistant Secretary*.

Mr. Leahy moved to strike out the publication clause.

The motion prevailed.

Mr. Davis moved to refer the bill to the Committee on Ways and Means.

By leave of the House Mr. Davis withdrew his motion to refer. The substitute was adopted.

Mr. Merrell moved the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Ainsworth, Ballinger, Beatty of Jasper; Blake, Blakely, Bliss, Bonewitz, Booth, Butler, Cadwell, Campbell, Cardell, Carver, Christoph, Close, Davis, Davisson, Day, Dayton, Dumont, Ellsworth, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hopkirk, Hovey, Johnston, Kasson, Litzenberg, McAllister, McClure, Merrell, Miller, Mills, O'Donnell, Peet, Perkins, Pratt, Reed, Reuther, Rice, Rohlf, Sandry, Skillin, Stedman, Stewart, Struthers, Tasker, Teale, Tufts, Tuttle, Van Deventer, Van Saun, Williams, Wood, of Clay; and Wright, of Mills—Total, 61.

The nays were—

Messrs. Appleton, Beatty of Cedar; Duncombe, Leahy, Van Meter—Total, 5.

Absent or excused—

Messrs. Beresheim, Bergh, Blackman, Caldwell, Clarke of Iowa; Clarke of Benton; Crawford, Danforth, Draper, Duncan, Durham, Ericson, Evans, Flenniken, Hanan, Hilton, Irish, Keables, Lee, Maxwell, McCoy, Morrison, Newbold, Paul, Rule, Schweer, Secor, Stow, Whitten, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story; Wright, of Van Buren; and Mr. Speaker—Total, 45.

So the bill passed and the title was agreed to.

By permission of the House, Mr. Pratt introduced H. F. No. 380, A bill for an act to change the name of the village plat of Floyd creek, in Floyd county, Iowa.

The bill was read a first and second time.

Mr. Pratt moved that the rule be suspended, the bill considered engrossed and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty of Cedar; Beatty, of Jasper; Blake, Blakely, Bliss, Bonewitz, Booth, Butler, Cadwell, Campbell, Cardell, Carver, Christoph, Close, Davis, Davisson, Day, Dayton, Dumont, Duncombe, Ellsworth, Freeman, Gear, Goodspeed, Green, Hall, Hanan, Hanson, Heberling, Hewett, Hovey, Johnston, Kasson, Leahy, Litzenberg, McAllister, McClure, Merrell, Miller, Mills, O'Donnell, Peet, Perkins, Pratt, Reed, Reuther, Rice, Rohlf, Sandry, Secor, Skillin, Stedman, Struthers, Tasker, Teale, Tufts, Tuttle, Van Deventer, Van Meter, Van Saun, Williams, Wood, of Clay; and Wright, of Mills—Total, 67.

The nays were none.

Absent or excused—

Messrs. Beresheim, Bergh, Blackman, Caldwell, Clark, of Benton; Clarke, of Iowa; Crawford, Danforth, Draper, Duncan, Durham, Ericson, Evans, Flenniken, Hilton, Hopkirk, Irish, Keables, Lee, Maxwell, McCoy, Morrison, Newbold, Paul, Rule, Schweer, Stewart, Stow, Whitten, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story; Wright, of Van Buren, and Mr. Speaker—Total, 43.

So the bill passed, and the title was agreed to.

Leave of absence was granted to Mr. Lee.

By leave of the House, Mr. Duncombe, from Judiciary Committee, submitted the following report:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 150, A bill for an act to amend chapter 86, of the laws of the Twelfth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report a substitute with the recommendation that it do pass.\*

J. F. DUNCOMBE, *for the Chairman.*

H. F. No. 150, An act to amend chapter 86, of the laws of the Twelfth General Assembly, &c., was taken up, and with the substitute was considered.

The substitute was adopted.

Mr. Duncombe moved that the rule be suspended, the bill considered engrossed and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Blake, Blakely, Bliss, Butler, Cadwell, Carver, Close, Davis, Day, Dayton, Dumont, Duncan, Duncombe, Ellsworth, Freeman, Gear, Green, Hall, Hanson, Heberling, Hovey, Johnston, Kasson, Leahy, Maxwell, McAllister, McClure, Merrell, Miller, Mills, Peet, Perkins, Pratt, Reed, Renther, Rice, Rohlf, Sandry, Secor, Skillin, Stedman, Struthers, Tuttle, Van Deventer, Van Meter, Van Sann, Williams, Wood, of Clay, and Wright, of Mills—Total, 54.

The nays were—

Messrs. Bonewitz, Booth, Campbell, Christoph, Davisson, Goodspeed, Hopkirk, O'Donnell, Stewart, Tasker, Teale, and Tufts,—Total, 12.

Absent or excused—

Messrs. Beresheim, Bergh, Blackman, Caldwell, Cardell, Clark, of Benton; Clarke, of Iowa; Crawford, Danforth, Draper, Durham,



Ericson, Evans, Flenniken, Hanan, Hewett, Hilton, Irish, Keables, Lee, Litzenberg, McCoy, Morrison, Newbold, Paul, Rule, Schweer, Stow, Whitten, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story; Wright of Van Buren, and Mr. Speaker.

So the bill passed and the title was agreed to.

By leave, Mr. Ainsworth introduced H. F. No. 381, A bill for an act amending section 2823, of the Revision of 1860, &c.

Read a first and second time, and referred to Committee on Judiciary.

By leave, Mr. Freeman introduced H. F. No. 382, A bill for an act to amend section 1532, of chapter 61, of the Revision of 1860.

Read a first and second time, and referred to Committee on Agriculture.

By leave, Mr. Tasker introduced H. F. No. 383, A bill for an act in relation to the change of the boundary lines of civil townships.

Read a first and second time, and referred to Committee on Schools.

Mr. Van Deventer, from Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills ask leave to report that they have examined the following bill and find the same correctly enrolled:

Substitute for S. F. No. 159, A bill for an act relating to the collection of taxes voted to aid in the construction of railroads in the counties of Clinton and Jackson.

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bill, viz:

H. F. No. 218, An act to enable cities, towns, and counties to settle, adjust, and compound their indebtedness, and to provide for the payment of the same.

J. VAN DEVENTER, *Chairman.*

Mr. Johnston, from Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER:—The Committee on Engrossed Bills ask leave to report that they have examined the following bills, and find the same correctly engrossed:

H. F. No. 234, A bill for an act to legalize the incorporation of the Des Moines, Boone & Northern Railway Co.

Also, H. F. No. 308, A bill for an act to amend chapter 148 of the acts of the Ninth General Assembly.

Also, H. F. No. 306, A bill for an act relating to the payment of the managers and officers of the State institutions.

JOHNSTON, *from Committee.*

Mr. Dumont, from Committee on Representative and Senatorial Districts, submitted the following report :

MR. SPEAKER :—Your Committee on Representative and Senatorial Districts, to whom was referred H. F. No. 346, A bill for an act to provide for taking a census of the State in the year 1873, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

S. B. DUMONT, *Chairman.*

Mr. Stedman, from Committee on Institution for the Blind, submitted the following report :

MR. SPEAKER :—Your Committee on Iowa Institution for the Education of the Blind, to whom was referred S. F. No. 50, A bill for an act to enlarge the Iowa Institution for the Education of the Blind, and to change the name of the same, and for the improvement of the grounds, the purchase of musical instruments, and a printing press, for the use of the blind, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

E. MAT STEDMAN, *Chairman.*

On motion of Mr. Stedman the bill was made a special order for thursday, March 28.

Mr. Bonewitz, from Committee on County and Township Organizations, submitted the following report :

MR. SPEAKER :—Your Committee on County and Township Organizations, to whom was referred H. F. No. 127, A bill for an act in relation to the re-organization of townships, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass, with the following amendments : In section 1, fourth line, after " hundred," insert the word " inhabitants," and in the seventh line insert the words " each of " after the words " voters of." Also, add the letter " s " to " township," in the eighth line.

P. G. BONEWITZ, *Chairman.*

Mr. Kasson, from the Committee on Ways and Means, submitted the following report :

MR. SPEAKER :—Your Committee on Ways and Means, to whom was referred H. F. No. 256, A bill for an act to amend chapter 45, section 742, Revision of 1860, beg leave to report that they have had the same under consideration, and have instructed me to re-report the same back to the House with the recommendation that

it be indefinitely postponed, as the same subject is provided for in substitute for H. F. No. 264.

Also, H. F. No. 264, A bill for an act to amend sub-division two (2,) of section 742, of the Revision of 1860, in relation to the State Board of Equalization, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with a substitute therefor, and the recommendation that the substitute do pass.

Your Committee on Ways and Means having had under consideration A bill for an act providing for the collection and payment of State revenue, and amending certain sections of the Revision of 1860, have instructed me to report the same to the House with the recommendation that it do pass.

KASSON, *Chairman.*

The bill was read a first and second time, and ordered printed.

Mr. Miller, from Committee on Elections, submitted the following report :

MR. SPEAKER:—Your Committee on Elections, to whom was referred petition to amend laws in reference to canvass of elections, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

C. B. MILLER, *Chairman.*

Mr. Tufts, from the Committee on Claims, submitted the following report :

MR. SPEAKER:—Your Committee on Claims, to whom was referred H. F. No. 290, A bill for an act for the relief of Winnebago county, Iowa, for money stolen from the county safe June 15, 1869, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House without recommendation.

Also, H. F. No. 272, A bill for an act for the relief of Harrison county for money stolen from the county safe, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House without recommendation.

TUFTS, *Chairman.*

#### INTRODUCTION OF BILLS.

Mr. Secor introduced H. F. No. 385, A bill for an act to legalize the acts of the board of supervisors of Hancock county, Iowa, authorizing the county recorder to make new indexes to deed records.

Read a first and second time, and referred to Judiciary Committee.

Mr. Davis called up H. F. No. 346, A bill for an act to provide for taking a census of the State in the year 1873.

The bill was taken up and considered.

Mr. Davis moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Jasper; Blake, Blakely, Bliss, Bonewitz, Booth, Butler, Cadwell, Campbell, Cardell, Carver, Christoph, Close, Davis, Day, Dayton, Dumont, Duncan, Ellsworth, Hanson, Heberling, Hewett, Hopkirk, Hovey, Kasson, Leahy, Litzenberg, McClure, Miller, Mills, Peet, Perkins, Pratt, Reuther, Rice, Saudry, Secor, Skillin, Stedman, Stewart, Struthers, Tasker, Teale, Tuttle, Van Davenport, Van Saun, Williams, Wood, of Clay, and Wright, of Van Buren—Total, 51.

The nays were—

Messrs. Ballinger, Beatty, of Cedar; Davisson, Duncombe, Freeman, Gear, Goodspeed, Green, Hall, Johnston, McAllister, Merrell, O'Donnell, Reed, Rohls, Tufts, and Van Meter—Total, 17.

Absent or excused—

Messrs. Beresheim, Bergh, Blackman, Caldwell, Clark, of Benton; Clarke, of Iowa; Crawford, Danforth, Draper, Durham, Ericson, Evans, Flenniken, Hanan, Hilton, Irish, Keables, Lee, Maxwell, McCoy, Morrison, Newbold, Paul, Rule, Schwaer, Stow, Whitten, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story; Wright, of Van Buren, and Mr. Speaker—Total, 32.

So the bill passed and the title was agreed to.

Mr. Kasson moved that when this House adjourn it will adjourn until to-morrow morning at nine o'clock.

The motion prevailed.

The hour having arrived for the consideration of the special order, H. F. No. 107, Mr. Teale moved that the special order be postponed until to-morrow morning at 9:30.

The motion prevailed.

Mr. Wright, of Mills, had leave to call up H. F. No. 33, A bill for an act to authorize county auditors to take acknowledgments, &c., which was re-committed to Committee on County and Township Organizations.

The hour having arrived for the consideration of the special order, H. F. No. 265, the special order was postponed until to-morrow.

Mr. Reuther moved that H. F. No. 48 be taken up and made a special order for March 28th, at two o'clock.

The motion prevailed.

Mr. Reuther called up H. F. No. 238, A bill for an act regulating the assessment of real estate used for railroad purposes.

The bill was taken up and considered with accompanying substitute.

Mr. Van Meter moved to strike out the publication clause.

The motion prevailed.

Mr. Hall moved to reconsider the vote by which the publication clause was stricken out.

The motion prevailed.

The question recurring on striking out the publication clause, the motion prevailed.

The substitute was adopted.

Mr. Reuther moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty of Cedar; Beatty of Jasper; Blakely, Bliss, Bonewitz, Caldwell, Campbell, Cardell, Carver, Christoph, Close, Davis, Day, Dayton, Dumont, Duncan, Duncombe, Ellsworth, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hopkirk, Hovey, Johnston, Kasson, Leahy, Litzenberg, Maxwell, McAllister, McClure, Merrell, Miller, O'Donnell, Perkins, Pratt, Reed, Reuther, Rice, Rohlf, Sandry, Secor, Skillin, Stedman, Stewart, Struthers, Tasker, Teale, Tufts, Tuttle, Van Deventer, Van Meter, Van Sann, Williams, Wood of Clay; and Wright, of Mills—Total, 63.

The nays were none.

Absent or excused—

Messrs. Beresheim, Bergh, Blackman, Blake, Booth, Butler, Caldwell, Clark of Benton; Clarke, of Iowa; Crawford, Danforth, Davison, Draper, Durham, Ericson, Evans, Flenniken, Hanan, Hilton, Irish, Keables, Lee, McCoy, Mills, Morrison, Newbold, Paul, Peet, Rule, Schweer, Stow, Whitten, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story; Wright, of Van Buren; and Mr. Speaker—Total, 37.

So the bill passed and the title was agreed to.

The hour having arrived for the consideration of the special order, H. F. No. 332, on motion of Mr. Blake, the special order was postponed until to-morrow morning at 10 o'clock.

The special order, H. F. No. 62, was also taken up and postponed until 10 o'clock, A. M., to-morrow.

By leave, Mr. Kasson called up S. F. No. 98, A bill for an act to amend section 3305, of the Revision of 1860, &c.

The bill was taken up and considered.

Mr. Wood, of Clay, moved to amend by including washing machines and clothes wringers.

The motion did not prevail.

The question of recurring on the engrossment of the bill, Messrs. Merrell and Ainsworth demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Appleton, Beatty, of Cedar; Blake, Blakely, Bonewitz, Butler, Cadwell, Cardell, Carver, Christoph, Close, Davisson, Day, Dayton, Dumont, Duncan, Ellsworth, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hopkirk, Hovey, Johnston, Kasson, Keables, Leahy, Litzenberg, Maxwell, McAllister, McClure, Merrell, Mills, O'Donnell, Peet, Perkins, Pratt, Reed, Reuther, Rice, Rohlf, Sandry, Skillen, Stedman, Stewart, Struthers, Tasker, Teale, Tufts, Tuttle, Van Deventer, Van Meter, Van Saun, and Wright, of Mills—Total, 58.

The nays were—

Messrs. Ainsworth, Ballinger, Beatty, of Jasper; Bliss, Booth, Duncombe, Miller, Williams, and Wood, of Clay—Total, 9.

Absent or excused—

Messrs. Beresheim, Bergh, Blackman, Caldwell, Campbell, Clark, of Benton; Clarke, of Iowa; Crawford, Danforth, Davis, Draper, Durham, Ericson, Evans, Flenniken, Hanan, Hilton, Irish, Lee, McCoy, Morrison, Newbold, Paul, Rule, Schweer, Secor, Stow, Whitten, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story; Wright, of Van Buren; and Mr. Speaker—Total, 33.

So the bill was ordered engrossed for a third reading.

Leave was granted to Mr. Heberling to call up H. F. No. 86, A bill for an act to amend section 1088 of the Revision of 1860, &c.

The bill was taken up and considered.

The amendments recommended by the committee were adopted.

The bill was ordered engrossed, and to be read a third time.

By leave Mr. Keables called up S. F. No. 16, A bill for an act to legalize the annexation of certain territory to the city of Knoxville, in Marion county, Iowa.

The bill was taken up and read a first and second time.

Mr. Keables moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Blakely, Bliss, Bonewitz, Booth, Butler, Cadwell, Campbell, Cardell, Carver, Close, Davisson, Day, Dayton, Dumont, Duncan, Duncombe, Ellsworth, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hopkirk, Hovey,

Johnston, Kasson, Keables, Leahy, Litzenberg, Maxwell, McAllister, McClure, Merrell, Mills, O'Donnell, Peet, Perkins, Pratt, Reuther, Rice, Rohlf, Sandry, Skillin, Stedman, Stewart, Struthers, Tasker, Teale, Tufts, Tuttle, Van Deventer, Van Meter, Van Saun, Williams, and Wright, of Mills—Total, 63.

The nays were none.

Absent or excused—

Messrs. Beresheim, Bergh, Blackman, Blake, Caldwell, Christoph, Clark, of Benton; Clarke, of Iowa; Crawford, Danforth, Davis, Draper, Durham, Ericson, Evans, Flenniken, Hanan, Hilton, Irish, Lee, McCoy, Miller, Morrison, Newbold, Paul, Reed, Rule, Schweer, Secor, Stow, Whitten, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Van Buren, and Mr. Speaker—Total, 37.

So the bill passed and the title was agreed to.

Mr. Van Deventer, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bill, viz :

H. F. No. 218, An act to legalize the organization of the independent school district of Elm Grove, in the township of Bloomfield, Polk county, and Greenfield, Warren county, Iowa.

J. VAN DEVENTER, *Chairman.*

Leave was granted to Mr. Heberling to call up H. F. No. 90, A bill for an act to amend chapter 29 of the acts of the Ninth General Assembly.

The bill was taken up and considered.

Mr. Heberling moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, " Shall the bill pass ? " the yeas and nays were as follows :

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Blake, Blakely, Bliss, Bonewitz, Booth, Butler, Cadwell, Campbell, Cardell, Carver, Christoph, Close, Davis, Dayton, Dumont, Duncan, Duncombe, Ellsworth, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hopkirk, Hovey, Johnston, Kasson, Keables, Leahy, Litzenberg, Maxwell, McClure, Merrell, Miller, Mills, O'Donnell, Peet, Perkins, Pratt, Reed, Reuther, Rice, Rohlf, Sandry, Skillin, Stedman, Stewart, Struthers, Tasker, Tufts, Tuttle, Van Deventer, Van Meter, Van Saun, Williams, Wood, of Clay; and Wright, of Mills—Total, 65.

The nays were Mr. Davisson.



Absent or excused—

Messrs. Beresheim, Bergh, Blackman, Caldwell, Clark, of Benton; Clarke, of Iowa; Crawford, Danforth, Day; Draper, Durham, Ericson, Evans, Flenniken, Hanan, Hilton, Irish, Lee, McAllister, McCoy, Morrison, Newbold, Paul, Rule, Schweer, Secor, Stow, Teale, Whitten, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story; Wright, of Van Buren; and Mr. Speaker—  
Total, 34.

So the bill passed, and the title was agreed to.

On motion of Mr. Perkins, the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 26, 1872. }

House convened pursuant to adjournment.

The Speaker in the chair.

Prayer by Rev. W. J. Gill.

The journal of yesterday was read and approved.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following bills, in which the concurrence of the House is asked:

S. F. No. 94, A bill for an act for the relief of corporations for pecuniary profit who may have failed to file with the Secretary of State their articles of incorporation, as provided by section 11 of chapter 172, of the laws of the Thirteenth General Assembly.

Also, S. F. No. 111, A bill for an act to amend section 2800 of the Revision of 1860, so as to limit the venue in actions upon negotiable paper to a county wherein some one of the makers shall reside.

Also, S. F. No. 127, A bill for an act authorizing the superintendent of public instruction to procure a seal for his official use.

Also, S. F. No. 207, A bill for an act to provide for the payment of the per diem and expenses of the commissioners appointed under chapter 8, of the acts of the Fourteenth General Assembly, and amendatory thereof.

Also, S. F. No. 219, A bill for an act providing for the acknowledgement and recording of deeds in certain cases, and rendering valid the acknowledgements of deeds and instruments in writing.

Also, S. F. No. 221, A bill for an act for the relief of Louisa

county, Iowa, for money stolen from the safe on the night of the 18th of February, 1868.

Also, S. F. No. 225, A bill for an act for the relief of Bremer county, Iowa, for money stolen from the county safe.

Also, S. F. No. 227, A bill for an act for the relief of James Jordan and Matilda Carter.

I am also directed to inform your honorable body that the Senate has passed the following bill and joint resolution without amendment :

H. F. No. 203, A bill for an act to provide for taking up of rafts, logs and sawed lumber.

Also, House joint resolution proposing to amend section 10, article 5, of the constitution of the State of Iowa.

J. A. T. HULL, *Secretary*.

Mr. McAllister moved that S. F. No. 32, A bill for an act authorizing municipal corporations to levy poll taxes, be taken up.

The bill was taken up and considered.

The amendments recommended by the committee were adopted.

Mr. McAllister moved that the rule be suspended, the bill be considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar ; Beresheim, Bergh, Blake, Blakely, Bliss, Bonewitz, Booth, Butler, Cadwell, Cardell, Carver, Clark, of Benton ; Close, Crawford, Danforth, Davis, Davisson, Day, Dayton, Draper, Dumont, Duncombe, Durham, Ellsworth, Ericson, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hopkirk, Irish, Johnston, Kason, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, Merrell, Miller, Mills, Newbold, O'Donnell, Perkins, Reed, Renther, Rohlf, Secor, Skillen, Stedman, Stewart, Struthers, Tasker, Teale, Tufts, Tuttle, Van Meter, Van Sann, Williams, Wilson, of Keokuk ; Wilson, of Washington ; Wood, of Clay ; Wright, of Mills ; Wright, of Van Buren ; and Mr. Speaker---Total, 74.

The nays were---

Messrs. Beatty, of Jasper ; Campbell, Christoph, Duncan, Evans, Hovey, Peet, Rice, and Sandry---Total, 9.

Absent or excused---

Messrs. Blackman, Caldwell, Clarke, of Iowa ; Flenniken, Hannan, Keables, McCoy, Morrison, Paul, Pratt, Rule, Schweer, Stow, Van Deventer, Whitten, and Wood, of Story---Total, 17.

So the bill passed and the title was agreed to.

Mr. Newbold had leave to call up H. F. No. 162, and the bill was taken up and referred to Committee on Insane Asylum.

Mr. Wright, of Mills, moved to take up H. F. No. 21, A bill for an act making additional appropriations for the Iowa Soldier's Orphans' Homes.

The bill was taken up and considered.

The Speaker announced that the hour for the consideration of the special order, H. F. No. 265, A bill for an act to amend an act to provide for a State Capitol, &c., had arrived.

On motion of Mr. Kasson, the bill was taken up and considered.

Mr. Duncombe offered the following amendment:

Strike out of section one the word "three," in the fourth line, and insert "four." Strike out, "which shall be chosen by the Senate and House of Representatives in joint convention, and who shall hold their office until their successors shall be in like manner elected and qualified, unless sooner removed from office as hereinafter provided," in the fourth, fifth and sixth lines, and insert: "consisting of.....of.....county.....of.....county, A. C. Dodge, Des Moines county, and M. L. Fisher, of Clayton county. In case of a vacancy in said Commission, the Governor shall appoint." Also, strike out the words "and fifty," in the second line of section two of this act.

Mr. Ainsworth moved that the consideration of the whole matter be postponed until the Capitol Investigation Committee shall make their report; and that said committee be instructed to have the report and all the testimony printed and placed upon the desks of the members.

Mr. Green moved to postpone till next Friday, March 29th.

Mr. Pratt moved to amend by postponing till next Tuesday, April 2d, at 10:30.

The amendment prevailed.

The motion to postpone prevailed.

Mr. Kasson moved that the Investigating Committee be instructed to report this week.

The motion prevailed.

The Speaker announced that the hour had arrived for the consideration of special order, H. F. No. 197, A bill for an act making counties responsible for the collection and payment of school fund interest, &c.

On motion of Mr. Newbold the special order was taken up and considered.

Mr. Ellsworth moved to amend section two so that the amount necessary to defray the expenses of such settlement shall be charged *pro rata* to the counties that are delinquent.

The amendment did not prevail.

The bill was ordered engrossed and to be read a third time.

Mr. Newbold moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, " Shall the bill pass ? " the yeas and nays were as follows :

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar ; Beatty, of Jasper; Beresheim, Bergh, Blakely, Bliss, Bonewitz, Booth, Butler, Cadwell, Caldwell, Campbell, Cardell, Carver, Christoph, Clark, of Benton; Close, Crawford, Danforth, Davis, Day, Dayton, Draper, Dumont, Duncan, Durham, Ericson, Evans, Freeman, Gear, Goodspeed, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Hovey, Irish, Kasson, Leahy, Lee, Litzenberg, Maxwell, McClure, Merrell, Miller, Mills, Newbold, O'Donnell, Peet, Pratt, Reed, Rice, Rohlf, Sandry, Secor, Skillin, Stedman, Stewart, Tasker, Teale, Tufts, Van Deventer, Van Meter, Van Saun, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wright, of Mills; Wright, of Van Buren, and Mr. Speaker—Total, 76.

The nays were—

Messrs. Ellsworth, Green, Johnston, Keables, Reuther, and Struthers—Total, 6.

Absent or excused—

Messrs. Blackman, Blake, Clarke, of Iowa; Davisson, Duncombe, Flenniken, Hanan, McAllister, McCoy, Morrison, Paul, Perkins, Rule, Schweer, Stow, Tuttle, Whitten, and Wood, of Story—Total, 18.

So the bill passed and the title was agreed to.

The Speaker announced that the hour for the consideration of the special order had arrived, H. F. No. 107, A bill for an act to enable townships, incorporated towns, and cities, which have heretofore or may hereafter vote a tax in aid of a railroad tax, &c.

Mr. Caldwell moved that the special order be taken up.

The motion prevailed.

The amendments recommended by the Committee were adopted.

Mr. Teale moved to amend as follows :

Add at the end of section two: Or shall have failed in good faith to begin the construction of said road within one year from the time of voting such tax.

The amendment was adopted.

Mr. Davis moved to amend section 2 as follows :

After the word "raised," in the fourth line, insert "before a petition is presented asking for transfer under the provisions of this act."

The amendment was adopted.

Mr. Hall moved that further consideration of the bill be postponed until April 3d.

Mr. Beatty moved that when the House adjourn it be until two o'clock, P. M.

Mr. Pratt moved to amend by making it Thursday morning.

The amendment did not prevail.

The motion prevailed.

Mr. Van Deventer, from Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER :—The Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bill, viz:

S. F. No. 159, A bill for an act relating to the collection of taxes voted to aid in the construction of railroads in the counties of Clinton and Jackson.

J. VAN DEVENTER, *Chairman.*

On motion of Mr. Rohlf's the House adjourned.

Two o'clock, P. M.

House called to order by the Speaker.

The question recurring on the motion to postpone the consideration of H. F. No. 107, the motion did not prevail.

Mr. Teale offered the following amendment:

Add to section 1, "*Provided*, that the transfer herein authorized shall be completed before the 1st day of January, A. D., 1873.

Mr. Reuther moved to amend the amendment by adding to fifth line thereof, as follows:

"*Provided, however*, that no such tax shall be transferred in favor of any other railroad on and after July 1st, 1872.

The amendment did not prevail.

Mr. Irish moved to amend the amendment as follows:

"*Provided*, that no tax so voted and transferred under the provisions of this act, shall become delinquent until the road which is to receive it, has been finished and is running to the township voting the tax."

The amendment to the amendment was adopted.

The amendment as amended was adopted.

Mr. Reed moved to amend section 4 by striking out all after the word "election," in the fourth line.

The amendment was adopted.

The bill was ordered engrossed, and to be read a third time.

The Speaker announced that the hour had arrived for the consideration of the special order S. F. No. 21, A bill for an act to permanently locate the State Reform School.

The bill was taken up and considered.

The first amendment recommended by the Committee was adopted.

The second amendment recommended by the Committee was adopted.

The third amendment recommended by the Committee was adopted.

The fourth amendment recommended by the Committee was adopted.

Mr. Leahy moved to amend as follows :

*Provided*, that said location shall not be at a greater distance than thirty miles from the geographical center of the State.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER :—I am directed to inform your honorable body that the Senate has passed the following bills, in which the concurrence of the House is asked :

S. F. No. 223, A bill for an act dividing the State into nine congressional districts.

I am also directed to inform your honorable body that the Senate has passed the following bill without amendments :

Substitute for H. F. No. 150, A bill for an act to amend chapter 86, of the laws of the Twelfth General Assembly, and to define the powers and jurisdiction of the circuit court.

J. A. T. HULL, *Secretary*.

Mr. Hilton moved to strike out "geographical centre of the State," and insert "the State capitol."

The amendment to the amendment did not prevail.

Mr. Davisson moved to amend the amendment as follows :  
"That it shall be located within forty miles of the capital of the State."

The amendment to the amendment did not prevail.

The amendment did not prevail.

Mr. Leahy moved to amend as follows : "That said location shall be within five miles of the State capital."

Mr. Davisson moved to amend the amendment as follows :  
"That it shall be located in Madison county."

Mr. Hopkirk moved to lay the whole matter on the table.

The motion did not prevail.

The amendment to the amendment did not prevail.

The amendment did not prevail.

Mr. Campbell moved to strike out that portion of the bill from the word "of," in the first line of section three, to the word "and" in the second line of said section, and insert, "of a sufficient area for all practicable demands of the institution."

The amendment was adopted.

Mr. Ballinger offered the following amendment: Add after the word "Davenport," in section 4, the word "Keokuk."

The amendment was adopted.

Mr. Blakely moved to amend by striking out "\$50,000" and inserting "\$20,000."

The amendment did not prevail.

Mr. Evans offered the following amendment: Add to section 7, "*Provided*, That not more than ten per cent of the above appropriation shall be drawn from the treasury until all other appropriations made by this General Assembly shall have been paid over to the proper agents."

The motion did not prevail.

Mr. Leahy moved to amend the bill as follows: "That before said institution shall be permanently established the commissioners shall report the result of their investigation and the choice of location to the next General Assembly, for its approval."

The amendment did not prevail.

Mr. Van Deventer, from Committee on Enrolled bills, substituted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills ask leave to report that they have examined the following bill, and find the same correctly enrolled:

A. F. No. 208, and a joint resolution proposing to amend section 10, article 5, of the constitution of Iowa.

MR. SPEAKER:—The Committee on Enrolled Bills ask leave to report that they have examined the following memorial and joint resolution and bill, and find the same correctly enrolled:

Memorial and joint resolution relative to the Niagara Falls Ship Canal.

S. F. No. 16, A bill for an act to legalize the annexation of certain territory to the city of Knoxville, Marion County, Iowa.

J. VAN DEVENTER, *Chairman*.

Mr. Leahy moved that the whole matter be referred to Committee on Orphans' Home, with instruction to inquire whether one of those institutions can be vacated for the Reform School.

The motion did not prevail.

The bill was ordered to be engrossed for a third reading.

Mr. Beresheim moved that when this House adjourn, it be until Thursday morning at 9 o'clock.

On the adoption of the motion, Mr. Ballinger and Mr. Hopkirk demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Cedar; Beresheim, Bergh, Blakely, Bliss, Bonewitz, Booth, Butler, Cadwell, Cardell, Carver, Clark, of Benton; Danforth, Davisson, Dayton, Duncombe,



Durham, Ellsworth, Ericson, Evans, Gear, Hall, Heberling, Hewatt, Hilton, Hovey, Irish, Kasson, Keables, Litzenberg, Maxwell, Miller, Mills, Newbold, O'Donnell, Pratt, Reed, Reuther, Sandry, Secor, Skillin, Stedman, Struthers, Tasker, Tuttle, Van Deventer, Williams, Wilson, of Keokuk; Wood, of Clay; Wright, of Mills, and Mr. Speaker—Total, 53.

The nays were—

Messrs. Ballinger, Beatty, of Jasper; Campbell, Christoph, Close, Crawford, Davis, Draper, Duncan, Freeman, Goodspeed, Hanson, Hopkirk, Johnston, Lee, Merrell, Peet, Perkins, Rice, Rohlf, Stewart, Teale, Tufts, Van Meter, Van Sann, and Wilson, of Washington—Total, 26.

Absent or excused—

Messrs. Blackman, Blake, Caldwell, Clarke, of Iowa; Day, Dumont, Flenniken, Green, Hanan, McAllister, McClure, McCoy, Morrison, Paul, Rule, Schweer, Stow, Whitten, Wood, of Story and Wright, of Van Buren—Total, 21.

So the motion to adjourn prevailed.

Mr. Danforth moved to reconsider the vote by which the House passed H. F. No. 194, the consideration of which was postponed.

Mr. Teale moved to reconsider the vote by which the House ordered engrossed, H. F. No. 107, the consideration of which was postponed.

Leave was granted to Mr. Blakely to introduce H. F. No. 386, A bill to legalize the organization of the Independent district of West Grove, in Davis county, Iowa.

Read a first and second time, and referred to Committee on Schools.

Mr. Wood of Clay, introduced H. F. No. 387, A bill for an act to legalize the action of the board of supervisors of Emmett county, &c.

Read a first and second time and referred to Committee on Judiciary.

On motion of Mr. Kasson the message of the Governor, transmitting the report of the Hon. J. A. Harvey, was taken up and ordered printed.

Mr. Day moved to reconsider the vote by which the House passed H. F. No. 346, the consideration of which was postponed.

On motion of Mr. Gear, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, March 28, 1872. }

House convened pursuant to adjournment.

The Speaker in the chair.

Prayer by Rev. S. Doran.

Journal of last day's proceedings read and approved.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked:

S. F. No. 27, A bill for an act to regulate the manufacturing, keeping, and sale of certain oils.

I am also directed to inform your honorable body that the Senate has passed the following bill without amendment:

H. F. No. 178, A bill for an act to limit taxation for teacher's and contingent funds in school districts.

J. A. T. HULL, *Secretary*.

The Speaker announced the business before the House to be the consideration of the special order, H. F. No. 66, A bill for an act making persons selling or giving away intoxicating liquors responsible for loss or damage occasioned by the use of the same.

On motion of Mr. Lee the special order was taken up and considered.

The first amendment recommended by the committee was not adopted.

Mr. Rhols moved to lay the whole matter on the table.

On the adoption of the motion the yeas and nays were demanded, which were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beresheim, Blakely, Booth, Caldwell, Campbell, Dayton, Dancombe, Ericson, Gear, Green, Hall, Heberling, Irish, Maxwell, McCoy, Merrell, O'Donnell, Perkins, Reed, Reuther, Rohls, Rule, Sandry, Schweer, Stewart, Stow, Tuttle, and Van Deventer—Total, 81.

The nays were—

Messrs. Beatty, of Cedar; Beatty, of Jasper; Bergh, Blackman, Bliss, Bonewitz, Butler, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Crawford, Danforth, Davis, Davisson, Day, Drayer, Dumont, Duncan, Durham, Ellsworth, Evans, Freeman, Goodspeed,

Hanson, Hilton, Hopkirk, Johnston, Keables, Leahy, Lee, Litzenberg, McAllister, McClure, Miller, Mills, Newbold, Peet, Pratt, Rice, Secor, Skillin, Stedman, Struthers, Tasker, Teale, Tufts, Van Meter, Van Saun, Whitten, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren, and Mr. Speaker—Total, 57.

Absent or excused—

Messrs. Blake, Cadwell, Close, Christoph, Hanan, Hewett, Hovey, Kasson, Morrison, Paul, Williams, and Flenniken—Total, 12.

So the motion did not prevail.

Mr. Keables moved to amend section 1, by striking out of the second and third lines the words "in whole or in part."

Mr. Irish moved that the bill be postponed until the 4th of July, next.

On the motion to postpone, Messrs. Irish and Stow demanded the yeas and nays, which were as follows:

The yeas were —

Messrs. Ainsworth, Appleton, Ballinger, Beresheim, Blakely, Booth, Caldwell, Campbell, Davisson, Dayton, Ericson, Gear, Green, Hall, Heberling, Irish, Keables, McCoy, Merrell, Perkins, Reed, Reuther, Rohlf, Rule, Sandry, Schweer, Skillin, Stewart, Stow, Tuttle, and Van Deventer—Total, 31.

The nays were—

Messrs. Beatty, of Cedar; Beatty, of Jasper; Bergh, Blackman, Blake, Bliss, Bonewitz, Butler, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Crawford, Danforth, Davis, Day, Draper, Dumont, Duncan, Durham, Ellsworth, Evans, Freeman, Goodspeed, Hanson, Hewett, Hilton, Hopkirk, Hovey, Johnston, Leahy, Lee, Litzenberg, McAllister, McClure, Miller, Mills, Newbold, Peet, Pratt, Rice, Secor, Stedman, Struthers, Tasker, Teale, Tufts, Van Meter, Van Saun, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 58.

Absent or excused—

Messrs. Cadwell, Christoph, Close, Duncombe, Flenniken, Hanan, Kasson, Maxwell, Morrison, O'Donnell, and Paul—Total, 11.

So the motion to postpone did not prevail.

The question recurring on the motion to strike out, Mr. Wood, of Clay, moved the previous question.

The House refused to second the same.

The motion to strike out did not prevail.

Mr. Ainsworth offered the following amendment:

Add to section 5 "but such presumption shall not arise unless the person becomes intoxicated within one month of the time of such sale or gift.

Mr. Davisson offered a substitute for the whole bill.

Leave of absence was granted to Mr. Cadwell.

On the adoption of the amendment, Mr. Irish demanded the yeas and nays, which were as follows :

The yeas were—

Messrs. Blakely, Davisson, Draper, Durham, Flenniken, Goodspeed, Hopkirk, Keables, McAllister, McCoy, Tufts, Wilson, of Washington; Wood, of Story; and Mr. Speaker—Total, 14.

The nays were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Bliss, Bonewitz, Booth, Butler, Caldwell, Campbell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Crawford, Danforth, Davis, Day, Dayton, Duncan, Ellsworth, Ericson, Gear, Green, Hall, Hanson, Heberling, Hewett, Hilton, Hovey, Irish, Johnston, Kasson, Leahy, Lee, Litzenberg, McClure, Merrell, Miller, Mills, Newbold, O'Donnell, Peet, Pratt, Reed, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Teale, Van Deventer, Van Meter, Van Sann, Whitten, Williams, Wilson, of Keokuk; Wood, of Clay; Wright, of Mills; and Wright, of Van Buren—Total, 72.

Absent or excused—

Messrs. Blake, Cadwell, Christoph, Close, Dumont, Duncombe, Evans, Freeman, Hanan, Maxwell, Morrison, Paul, Perkins, and Tuttle—Total, 14.

So the substitute was not adopted.

The question recurring on the adoption of the amendment offered by Mr. Ainsworth, Mr. Irish and Mr. Ainsworth demanded the yeas and nays, which were as follows :

The yeas were—

Messrs. Ainsworth, Ballinger, Beresheim, Blakely, Booth, Campbell, Dayton, Gear, Green, Hall, Heberling, Hilton, Irish, Keables, McAllister, Merrell, O'Donnell, Pratt, Ruther, Rohlf, Rule, Sandry, Schweer, Secor, Skillin, Stewart, Stow, Van Deventer, Williams, and Wilson, of Keokuk—Total, 30.

The nays were—

Messrs. Appleton, Beatty, of Cedar; Beatty, of Jasper; Bergh, Blackman, Bliss, Bonewitz, Butler, Caldwell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Crawford, Danforth, Davis, Davisson, Day, Draper, Duncan, Durham, Ellsworth, Ericson, Evans, Freeman, Goodspeed, Hanson, Hewett, Hopkirk, Hovey, Johnston, Kasson, Leahy, Lee, Litzenberg, McClure, McCoy, Miller, Mills, Newbold, Peet, Reed, Rice, Stedman, Struthers, Tasker, Teale, Tufts, Van Meter, Van Sann, Whitten, Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 57.

Absent or excused—

Messrs. Blake, Cadwell, Christoph, Close, Dumont, Duncombe,

Flenniken, Hannan, Maxwell, Morrison, Paul, Perkins, and Tuttle—Total, 13.

So the amendment did not prevail.

Mr. Keables offered the following amendment:

Add to section 5, *Provided*, This section shall not apply to legitimate druggists selling articles compounded in part of intoxicating liquors to parties requiring such compound as a medicine.

The amendment did not prevail.

Mr. Lee moved to amend by striking out all words in section 6, after the words "sold for," in third line, and insert "the purposes specified in section 1575 of the Revision of 1860, or for any other purposes."

The motion prevailed.

Mr. Campbell offered the following amendment: Insert in third line of section 1, after the word "compensation," the following words: "Proportioned to the part of said intoxication caused by him."

The motion did not prevail.

Mr. Ainsworth moved to amend as follows: "Insert in second line of 1st section, after the word "liquors," "unless the same are given away for use in sickness."

Upon the adoption of the amendment the yeas and nays were demanded, which were as follows:

The yeas were—

Messrs. Ainsworth, Ballinger, Beresheim, Blackman, Blake, Blakely, Booth, Butler, Caldwell, Campbell, Danforth, Davisson, Day, Dayton, Duncombe, Ericson, Freeman, Gear, Green, Hall, Heberling, Hilton, Hopkirk, Hovey, Irish, Kasson, McAllister, McCoy, Merrell, Mills, O'Donnell, Peet, Perkins, Pratt, Reed, Renter, Rohlf, Rule, Sandry, Schweer, Skillin, Stewart, Stow, Tuttle, Van Deventer, Williams, Wilson, of Keokuk; and Wood, of Clay—Total, 48.

The nays were—

Messrs. Appleton, Beatty, of Cedar; Beatty of Jasper; Bliss, Bonewitz, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Crawford, Davis, Draper, Duncan, Durham, Ellsworth, Evans, Goodspeed, Hanson, Hewett, Johnston, Keables, Leahy, Lee, Litzenberg, Maxwell, McClure, Miller, Newbold, Rice, Secor, Struthers, Tasker, Teale, Tufts, Van Meter, Van Saun, Whitten, Wilson, of Washington; Wood, of Story; Wright of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 42.

Absent or excused—

Messrs. Bergh, Cadwell, Christoph, Close, Dumont, Flenniken, Hannan, Morrison, Paul, and Stedman—Total, 10.

So the amendment was adopted.

Mr. Keables moved to strike out section 3.

Upon the adoption of the amendment, the yeas and nays were demanded, which were as follows:

The yeas were—

Messrs. Ainsworth, Ballinger, Beresheim, Blackman, Blake, Booth, Campbell, Danforth, Dayton, Duncombe, Ericson, Gear, Green, Hall, Heberling, Hilton, Irish, Keables, Maxwell, McAllister, McCoy, Merrell, O'Donnell, Perkins, Pratt, Reed, Reuther, Rohlf, Rule, Sandry, Schweer, Skillin, Stewart, Stow, Tuttle, Van Deventer, Wilson, of Keokuk; and Wilson, of Washington—Total, 38.

The nays were—

Messrs. Appleton, Beatty, of Cedar; Beatty, of Jasper; Bergh, Blakely, Bliss, Bonewitz, Butler, Caldwell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Crawford, Davis, Davisson, Day, Draper, Duncan, Durham, Ellsworth, Evans, Goodspeed, Hanson, Hewett, Hopkirk, Hovey, Johnston, Leahy, Lee, Litzenberg, McClure, Miller, Mills, Newbold, Peet, Rice, Secor, Stedman, Struthers, Tasker, Teale, Tufts, Van Meter, Van Saun, Whitten, Williams, Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 52.

Absent or excused—

Messrs. Cadwell, Christoph, Close, Dumont, Flenniken, Freeman, Hanan, Kasson, Morrison, and Paul—Total, 10.

So the motion did not prevail.

Mr. Van Deventer, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER :—The Committee on Enrolled Bills as leave to report that they have examined the following bill, and find the same correctly enrolled:

Substitute for H. F. No. 150.

J. VAN DEVENTER, *Chairman*.

Mr. Hilton moved to amend by adding a new section: Section 7. All acts and parts of acts in any manner relating to or affecting the sale or giving away of intoxicating liquors, are hereby repealed.

The motion did not prevail.

On the engrossment of the bill, the yeas and nays were demanded, and were as follows:

The yeas were—

Messrs. Beatty, of Cedar; Beatty, of Jasper; Bergh, Bliss, Bonewitz, Butler, Caldwell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Crawford, Danforth, Davis, Davisson, Day, Draper, Duncan, Durham, Ellsworth, Evans, Goodspeed, Hanson, Hewett, Hopkirk, Hovey, Johnston, Kasson, Leahy, Lee, Litzenberg, McAllister, McClure, Miller, Mills, Newbold, Peet, Pratt, Rice, Secor, Stedman, Struthers, Tasker, Teale, Tufts, Van Meter, Van Saun, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright of Van Buren; and Mr. Speaker—Total, 56.

The nays were—

Messrs. Ainsworth, Appleton, Ballinger, Beresheim, Blackman, Blako, Blakely, Booth, Campbell, Dayton, Duncombe, Ericson, Freeman, Gear, Green, Hall, Heberling, Hilton, Irish, Keables, Maxwell, McCoy, Merrell, O'Donnell, Perkins, Reed, Reuther, Rohlf, Rule, Sandry, Schweer, Skillin, Stewart, Stow, Tuttle, and Van Deventer—Total, 86.

Absent or excused—

Messrs. Cadwell, Christoph, Close, Dumont, Flenniken, Hanan, Morrison, and Paul—Total, 8.

So the bill was ordered engrossed, and to be read a third time.

Mr. Teale moved that the rule be suspended, the bill considered engrossed, and read a third time now.

On the motion to suspend the rule, Mr. Rohlf and Mr. Irish demanded the yeas and nays, which were as follows :

The yeas were—

Messrs. Beatty, of Cedar ; Beatty, of Jasper ; Bergh, Bliss, Bonewitz, Butler, Caldwell, Cardell, Carver, Clark, of Benton ; Clarke, of Iowa ; Crawford, Danforth, Davis, Day, Draper, Duncan, Durham, Ellsworth, Evans, Goodspeed, Hanson, Hewett, Hopkirk, Hovey, Johnston, Kasson, Leahy, Lee, Litzenberg, McAllister, McClure, Miller, Mills, Newbold, Peet, Pratt, Rice, Secor, Skillin, Stedman, Struthers, Tasker, Teale, Tufts, Van Meter, Van Saun, Whitten, Wilson, of Keokuk ; Wilson, of Washington ; Wood, of Clay ; Wood, of Story ; Wright, of Mills ; Wright, of Van Buren ; and Mr. Speaker—Total, 55.

The nays were—

Messrs. Ainsworth, Appleton, Ballinger, Beresheim, Blackman, Blake, Blakely, Booth, Davisson, Dayton, Duncombe, Ericson, Freeman, Gear, Green, Hall, Heberling, Hilton, Irish, Keables, Maxwell, McCoy, Merrell, O'Donnell, Perkins, Reed, Reuther, Rohlf, Rule, Sandry, Schweer, Stewart, Stow, Tuttle, and Van Deventer—Total, 86.

Absent or excused—

Messrs. Cadwell, Christoph, Close, Dumont, Flenniken, Hanan, Morrison, Paul, and Williams—Total, 9.

So the motion to suspend the rule did not prevail.

The time having arrived for the consideration of the motion to reconsider the vote by which the House concurred in Senate amendment to H. F. No. 267, Mr. Kasson moved that the motion be taken up, which motion prevailed.

Mr. Reuther moved that when this House adjourn, it adjourn till 2 o'clock P. M.

The motion did not prevail.

Mr. Caldwell moved to reconsider the vote by which S. F. No. 21 was ordered engrossed, the consideration of which was postponed.



Mr. Hall moved that the motion to reconsider H. F. No. 267 be referred to Committee on Schools, with accompanying papers.

The motion prevailed.

The hour having arrived for the consideration of H. F. No. 4, Mr. Reuther moved that the special order be postponed till April 8, at 10 o'clock A. M.

The motion prevailed.

Mr. Duncombe moved to take up S. F. No. 207, A bill for an act to provide for the payment of the per diem and expense of the commissioners, &c.

The motion prevailed.

The bill was read a first and second time.

Mr. Duncombe moved the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were---

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Bergh, Blackman, Blakely, Bliss, Bonewitz, Booth, Butler, Caldwell, Campbell, Carver, Clarke, of Iowa; Crawford, Danforth, Davisson, Day, Dayton, Draper, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Hovey, Irish, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, Maxwell, McAllister, McCoy, Merrell, Miller, Mills, Newbold, O'Donnell, Peet, Perkins, Pratt, Reed, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Tufts, Tuttle, Van Deventer, Van Meter, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker---Total, 83.

The nays were none.

Absent or excused---

Messrs. Beresheim, Blake, Cadwell, Cardell, Clark, of Benton; Christoph, Close, Davis, Dumont, Flenniken, Hanan, McClure, Morrison, Paul, Reuther, Teale, and Van Saun---Total, 17.

So the bill passed, and the title was agreed to.

Leave was granted to Mr. Gear to submit the following report from special committee on H. F. No. 327:

MR. SPEAKER:—Your Special Committee to whom was referred H. F. No. 327, A bill for an act requiring cities to pay damages in certain cases, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass, with the following amendments:

In section 3, line two, insert after the word "notice," the words "in the manner required for the commencement of actions in the District Court." In section 3, line 4, strike out all after the word "meeting" to the word "the."

Add the following section :

SEC. 6. The cost of all proceedings under this act included prior to the order of such city council or trustees confirming or annulling the appraisement, shall in all cases be paid by such city or town.

JOHN H. GEAR.

On motion of Mr. Gear the bill was taken up and made a special order for April 3, at 9:30 A. M.

Mr. Davisson moved to reconsider the vote by which the House ordered H. F. No. 66 engrossed for a third reading.

Mr. Teale moved to lay the motion on the table.

The motion prevailed.

Mr. Hall moved to take up H. F. No. 297, and make it a special order for to-morrow morning.

The motion prevailed.

Mr. Reed moved to take up S. F. No. 27, A bill for an act to regulate the manufacturing, keeping, and sale of certain illuminating fluids.

The bill was taken up and read a first and second time, and referred to Committee on Police Regulations.

On motion of Mr. Perkins, the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, March 29, 1872. }

House convened pursuant to adjournment.

The Speaker in the chair.

Prayer by Rev. D. H. Kooker.

Journal of yesterday was read and approved.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bills, in which the concurrence of the House is asked:

S. F. No. 123, A bill for an act to repeal section 781, chapter 45,

of the Revision of 1860, and to provide for making deeds for lands sold for delinquent taxes.

Also, S. F. No. 201, A bill for an act to encourage and promote immigration to the State of Iowa.

I am also directed to inform your honorable body that the Senate has passed substitute for H. F. No. 12, A bill for an act to prescribe rules and regulations for railroads, and to establish uniform and reasonable maximum rates of tariff for the transportation of freight thereon, by adding thereto sections, seventeen, eighteen, nineteen, twenty, twenty-one and twenty-two; and by adding to the title the following: "And to provide for railroad commissioners, and prescribing their powers and duties."

In which amendments the concurrence of the House is respectfully asked.

J. A. T. HULL, *Secretary*.

Mr. Duncombe moved to take up substitute for H. F. No. 12, A bill for an act to prescribe rules and regulations for railroads, &c.

The motion prevailed.

Mr. Pratt moved that the bill be made a special order for April 3d, Wednesday, at 9:30 A. M., and that the bill be ordered printed.

The motion prevailed.

#### REPORTS OF COMMITTEES.

Mr. Green, from the Committee on Constitutional Amendments, submitted the following report:

MR. SPEAKER:—Your Committee on Constitutional Amendments, to whom was referred the petition of citizens of Van Buren county, asking for the abolition of the grand jury system, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the prayer of the petition be not granted.

Also, Joint resolution providing for an amendment to the Constitution as follows: To strike out the word "white" from section four, article three thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, Joint resolution proposing to amend the Constitution so that no public funds of State, county, city, or township shall be appropriated to the support of any seminary, school, college, or other institution of learning or of charity, &c., beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

GREEN, *Chairman*.

The Speaker announced that the hour had arrived for the consideration of special order, H. F. No. 332.

Leave was granted to Mr. Whitten to introduce H. F. No. 388, An act supplementary and amendatory to chapter 47, laws of the Ninth General Assembly, &c.

Read a first and second time, and referred to Committee on Suppression of Intemperance, and ordered printed.

By leave, Mr. Wright, of Mills, called up S. F. No. 21, which was made a special order for Wednesday, April 3d, at 2:30 p. m.

Mr. Pratt called up H. F. No. 277, A bill for an act to provide for an allowance to the Chief Justice of the Supreme Court for clerk hire.

The bill was taken up and considered.

Mr. Pratt moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Ballinger, Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Bonewitz, Booth, Caldwell, Cardell, Carver, Clark, of Benton; Crawford, Danforth, Davis, Dayton, Draper, Dumont, Duncombe, Ericson, Evans, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hilton, Irish, Leahy, Litzenberg, Maxwell, McClure, Newbold, O'Donnell, Pratt, Reuther, Rolfs, Rule, Sandry, Skillin, Stedman, Stewart, Stow, Struthers, Teale, Van Deventer, Van Sann, Whitten, Williams, Wilson, of Keokuk; Wood, of Clay; Wright, of Van Buren; and Mr. Speaker—Total, 57.

The nays were—

Messrs. Blakely, Cadwell, Campbell, Clarke, of Iowa; Day, Duncan, Durham, Hopkirk, Hovey, Johnston, Lee, McCoy, Peet, Reed, Rice, Schweer, Tasker, Tufts, Van Meter, Wilson, of Washington; Wood, of Story; and Wright, of Mills—Total, 22.

Absent or excused—

Messrs. Appleton, Beatty, of Cedar; Bliss, Butler, Christoph, Close, Davisson, Ellsworth, Flenniken, Hannan, Kasson, Keables, McAllister, Merrell, Miller, Mills, Morrison, Paul, Perkins, Secor, and Tuttle—Total, 21.

So the bill passed and the title was agreed to.

Leave was granted to Mr. Blake to call up the motion to reconsider the vote by which the House passed H. F. No. 346.

Mr. Wood, of Clay, moved to lay the motion on the table.

The motion prevailed.

Leave of absence was granted to Messrs. Kasson, Mills, Perkins, Secor, and Merrell.

Mr. Tufts, from the Committee on Claims, submitted the following report:

MR. SPEAKER:—Your Committee on Claims, to whom was referred H. F. No. 219, A bill for an act to pay John Garaghty for legal services performed for the State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass with the following amendments:

Insert in the blank the words "one thousand," and after the last word, the following: "provided the said John Garaghty files with the Auditor of State his receipt in full for his claim against the State."

TUFTS, *Chairman.*

Mr. Van Deventer, from Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills ask leave to report that they have examined the following bill, and find the same correctly enrolled:

H. F. No. 178, A bill for an act to limit taxation for teachers' and contingent funds in school districts.

J. VAN DEVENTER, *Chairman.*

By leave, Mr. Beresheim introduced H. F. No. 386, A bill for an act making further appropriations for the deaf and dumb asylum, and for the maintenance of the institution.

Read a first and second time, and referred to Committee on the Institution for the Deaf and Dumb.

Mr. Peet, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER:—The Committee on Engrossed Bills ask leave to report that they have examined the following bills, and find the same correctly engrossed:

H. F. No. 150, A bill for an act to amend chapter 86, of the laws of the Twelfth General Assembly, and to define the powers and jurisdiction of the circuit court.

Also, H. F. No. 238, A bill for an act to provide for the exemption of land owners to pay taxes on land which they have conveyed to railroad companies.

Also, H. F. No. 346, A bill for an act to provide for taking a census of the State in the year A. D. 1873.

Also, H. F. No. 380, A bill for an act to change the name of the village plat of Flood Creek, in the township of Radd, in Floyd county, Iowa.

C. T. PEET, *Chairman.*

Special order, H. F. No. 297, A bill for an act permitting suit to be brought against the State, was taken up and considered.

The House refused to order the bill engrossed.

Mr. Hovey, from Committee on Insane Asylum, submitted the following report:

MR. SPEAKER:—Your Committee on Asylum for Insane, to whom was referred H. F. No. 331, A bill for an act to repeal section 46, chapter 109, of the acts of the Thirteenth General Assembly, in relation to charging insane persons or their relatives for maintenance at the Asylum, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

J. M. HOVEY, *Chairman.*

Mr. O'Donnell, from Committee on Railroads, submitted the following report:

MR. SPEAKER:—Your Committee on Railroads to whom was referred S. F. No. 171, A bill for an act to regulate the intersection of railroad tracks near the Mississippi river, beg leave to report that they have had the same under consideration, to which they propose the following amendment, and have instructed me to report the same back to the House with the recommendation that as so amended it do pass.

O'DONNELL, *for Committee.*

Mr. O'Donnell moved that H. F. No. 171, A bill for an act to regulate the intersection of railroad tracks near the Mississippi river be taken up.

The motion prevailed.

The amendment recommended by the committee was adopted.

Mr. O'Donnell moved that the rule be suspended, the bill considered engrossed and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Mesrs. Ballinger, Beatty of Cedar; Beatty of Jasper; Blackman, Blakely, Bonewitz, Cadwell, Campbell, Cardell, Carver, Clarke, of Iowa; Crawford, Davis, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ericson, Evans, Freeman, Gear, Goodspeed, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Hovey, Johnston, Keables, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, Newbold, O'Donnell, Peet, Pratt, Reed, Reuther, Rice, Rule, Sandry, Schweer, Skillin, Stedman, Struthers, Tasker, Teale, Tufts, Tuttle, Van Deventer, Van Meter, Van Saun, Williams,

Wood of Clay; Wood of Story; Wright of Mills; Wright of Van Buren and Mr. Speaker—Total, 66.

The nays were—

Messrs. Ainsworth, Beresheim, Clark, of Benton; Day, Ellsworth, and McCoy—Total, 6.

Absent or excused—

Messrs. Appleton, Bergh, Blake, Bliss, Booth, Butler, Caldwell, Christoph, Close, Danforth, Davisson, Flenniken, Green, Hanan, Irish, Kasson, Merrell, Miller, Mills, Morrison, Paul, Perkins, Rohlf, Secor, Stewart, Stow, Whitten, and Wilson, of Washington—Total, 28.

So the bill passed and title was agreed to.

The hour having arrived for the consideration of the special order, S. F. No. 50, A bill for an act to enlarge the institution for the Education of the Blind, &c.

On motion of Mr. Stedman the bill was taken up and considered.

Mr. Leahy moved to strike out section 3.

Mr. Gear moved to refer the bill to Committee on Ways and Means.

Mr. Newbold moved a call of the House, which was seconded by the House.

The Clerk proceeded to call the roll.

Mr. Duncan moved that further proceedings under the call be dispensed with.

The motion prevailed.

The motion to recommit did not prevail.

Mr. Ainsworth moved to amend the amendment as follows: "Strike out all of section 3, after the words practicable."

By leave Mr. Leahy withdrew his amendment.

By leave Mr. Ainsworth withdrew his amendment.

Mr. Ainsworth submitted the following in lieu of section seven: The trustees shall, at the close of each month, present to the auditor of State a certified exhibit of all amounts due for labor, debts or material furnished during said month, and the auditor shall thereupon deliver to them a warrant upon the State Treasurer for the amount, and no warrant shall be issued except upon such exhibits.

The amendment was adopted.

Mr. Duncombe moved to amend section five by striking out of seventh line "\$1,000" and insert "\$100."

The amendment was adopted.

Mr. Duncan moved to amend section two by striking out of the first line "\$1,500" and insert "\$500."

The motion did not prevail.

The bill was ordered engrossed, and to be read a third time.

Mr. Clark, of Benton, moved that the rule be suspended, that the bill be considered engrossed, and read a third time now.



The motion prevailed.

The bill was read a third time.

On the question, " Shall the bill pass? " the yeas and nays were as follows :

The yeas were—

Messrs. Ainsworth, Beatty, of Jasper ; Beresheim, Bergh, Blackman, Blake, Booth, Cadwell, Caldwell, Campbell, Cardell, Carver, Clark, of Benton ; Clarke, of Iowa ; Crawlord, Danforth, Davis, Day, Dayton, Draper, Dumont, Duncombe, Durham, Ellsworth, Ericson, Evans, Freeman, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Hovey, Irish, Johnston, Keables, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, McCoy, Newbold, O'Donnell, Peet, Pratt, Reuther, Rohls, Rule, Sandry, Schweer, Skillin, Stedman, Stow, Struthers, Tasker, Tufts, Tuttle, Van Deventer, Van Meter, Whitten, Williams, Wilson, of Keokuk ; Wilson, of Washington ; Wood, of Olay ; Wood, of Story ; Wright, of Mills ; Wright, of Van Buren ; and Mr. Speaker—Total, 74.

The nays were—

Messrs. Blakely and Duncan—Total, 2.

Absent or excused—

Messrs. Appleton, Ballinger, Beatty, of Cedar ; Bliss, Butler, Christoph, Close, Davisson, Flenniken, Gear, Hanan, Kasson, Merrell, Miller, Mills, Morrison, Paul, Perkins, Reed, Rice, Secor, Stewart, Teale, and Van Sann—Total, 24.

So the bill passed and the title was agreed to.

Mr. Wilson, of Keokuk, moved to take up H. F. No. 336, A bill for an act declaring the incorporation of the town of Richland, &c.

The motion prevailed.

The bill was taken up and considered, pending which, on motion of Mr. Newbold, the House adjourned.

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TWO O'CLOCK, P. M.

House called to order by the Speaker.

The House resumed the consideration of H. F. No. 336.

The amendment recommended by the committee was adopted.

Mr. Wilson, of Washington, moved that the rule be suspended, that the bill be considered engrossed, and read a third now.

The motion prevailed.

The bill was read a third time

On the question, " Shall the bill pass? " the yeas and nays were as follows :

The yeas were—

Messrs. Ainsworth, Ballinger, Beatty, of Jasper ; Beresheim,

Bergh, Blackman, Blake, Blakely, Bonewitz, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Crawford, Danforth, Davisson, Day, Dayton, Draper, Duncan, Duncombe, Durham, Ellsworth, Evans, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Hewett, Hilton, Hopkirk, Hovey, Kasson, Keables, Lee, Litzenberg, McAllister, McClure, McCoy, Newbold, Peet, Pratt, Reed, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Tufts, Van Meter, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total 65.

The nays were none.

Absent or excused—

Messrs. Appleton, Beatty, of Cedar; Bliss, Booth, Butler, Cadwell, Caldwell, Campbell, Christoph, Close, Davis, Dumont, Ericson, Flenniken, Hanan, Heberling, Irish, Johnston, Leahy, Maxwell, Merrell, Mills, Miller, Morrison, O'Donnell, Paul, Perkins, Secor, Teale, Tuttle, Van Deventer, Van Saun, Whitten, Williams, and Wood, of Story—Total, 35.

So the bill passed and the title was agreed to.

Mr. Goodspeed moved that the special order, H. F. No. 62, A bill for the encouragement of horticulture and forestry, be now taken up.

The motion prevailed.

The bill was taken up and considered.

The amendment recommended by the committee was adopted.

Mr. Reed moved to strike out the publication clause.

The motion prevailed.

Leave of absence was granted to Messrs. Struthers, Van Deventer, Ericson, and Dumont.

Mr. Bergh moved to amend by inserting in the sixth line of section 5, after the word "college," "five copies to the Iowa State University, five copies to the Iowa Historical Society, and two copies to each incorporated college in the State."

The amendment was adopted.

Mr. Gear moved to amend by adding to section 5: *Provided*, That \$200 of the amount appropriated by this act shall be awarded as premiums for the growing of fruit in this State.

The amendment was adopted.

Mr. Reed moved to amend section 4 by inserting in second line, after the word "society," "with a bill of items showing for what purposes the money herewith appropriated was paid out."

The amendment was adopted.

The bill was ordered engrossed and to be read a third time.

Mr. Goodspeed moved that the rule be suspended, that the bill be considered engrossed, and read a third time now.

The motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Ballinger, Beresheim, Bergh, Blackman, Blake, Blakely, Bonewitz, Booth, Cardell, Carver, Clark, of Benton ; Clarke, of Iowa ; Danforth, Day, Dayton, Duncombe, Durham, Ericson, Evans, Freeman, Gear, Goodspeed, Hall, Hanson, Heberling, Hewett, Hilton, Hovey, Kasson, Keables, Leahy, Litzenberg, McAllister, McClure, Newbold, O'Donnell, Peet, Reed, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Skillin, Stedman, Struthers, Tasker, Tufts, Tuttle, Van Deventer, Van Meter, Wilson, of Keokuk ; Wilson, of Washington ; Wood, of Clay ; Wood, of Story ; and Mr. Speaker—Total, 58.

The nays were—

Messrs. Beatty, of Jasper ; Crawford, Draper, Duncan, Green, Hopkirk, Irish, Lee, McCoy, Stewart, Stow, Whitten, and Wright, of Van Buren—Total, 13.

Absent or excused—

Messrs. Appleton, Beatty, of Cedar ; Bliss, Butler, Cadwell, Caldwell, Campbell, Christoph, Close, Davis, Davisson, Dumont, Ellsworth, Flenniken, Hanan, Johnston, Maxwell, Merrell, Miller, Mills, Morrison, Paul, Perkins, Pratt, Secor, Teale, Van Saun, Williams, and Wright, of Mills—Total, 29.

So the bill passed and the title was agreed to.

By leave, Mr. Rohlf called up S. F. No. 201, which was taken up and made a special order for next Tuesday, April 2d.

Mr. Blake moved to call up H. F. No. 332, and have the same postponed till to-morrow morning at 9:30 o'clock.

The motion prevailed.

Mr. Reuther moved to take up special order, H. F. No. 48, A bill for an act to amend chapter one hundred of the laws of the Twelfth General Assembly of the State of Iowa.

The bill was taken up and considered.

Mr. Reuther moved to amend by adding sections thirteen and fourteen, as follows :

Section 13. That townships are hereby created bodies corporate ; that they are authorized to enter into contracts for the making and repairing of roads and bridges as specified in H. F. No. 48. It shall be legal for them to sue and be sued, in order to carry out the provisions of said act, and that the township trustees are the authorized and legal agents of their townships.

Section 14. Section two in above described act shall be so amended as to make it compulsory for township trustees to declare that the road tax shall be paid in money.

*Provided*, That a majority of the tax payers in the township shall petition the board of trustees to that effect. Such petition shall also state the number of years the contract shall run, the number of years to be limited as provided in the act to which this is an amendment.

## REPORTS OF COMMITTEES.

Mr. Van Deventer, from Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER :—The Committee on Enrolled Bills ask leave to report that they have examined the following bill and find the same correctly enrolled:

S. F. No. 207, A bill for an act to provide for the payment of the per diem and expenses of the commissioners appointed under chapter 8, acts of the Fourteenth General Assembly, and amendatory thereof.

Also, that the Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bill, viz :

S. F. No. 16, A bill for an act to legalize the annexation of certain territory to the city of Knoxville, in Marion county, Iowa.

Also memorial and joint resolution in relation to the Niagara Falls Ship Canal.

Also, joint resolution proposing to amend section 10, article 5, of the constitution of the State of Iowa.

Also, H. F. No. 203, an act to provide for the taking up of rafts, logs and sawed lumber.

Also, H. F. 150, An act to amend chapter 86, of the laws of the Twelfth General Assembly, and to define the power and jurisdiction of the circuit court.

Also, H. F. No. 178, An act to limit taxation for teachers and contingent fund in school districts.

J. VAN DEVENTER, *Chairman.*

Mr. Lee moved to strike out of the 7th line of the 1st section the word "five" and insert the word "three."

By leave, Mr. Lee withdrew his amendment.

Mr. Rohlf's moved that the bill be recommitted to Committee on County and Township Organizations.

The motion prevailed.

Mr. Caldwell moved to call up the motion to reconsider the vote by which the House ordered engrossed S. F. No. 21, A bill to permanently locate a State Reform School, &c.

The motion prevailed.

The motion to reconsider prevailed.

Mr. Caldwell offered the following amendment:

A board of three commissioners consisting of Hon. Caleb Baldwin, of Pottawattamie county, the Hon. John Scott, of Story County, and the Hon. Edward Johnson of Lee county, is hereby appointed to make the said location, and they shall each receive as compensation the same mileage as is paid members of the General Assembly for every twenty miles of actual travel in the performance of their

duties as attested by their sworn statement, and it is further provided that they shall not make the location within either of the counties in which they reside. The trustees of the institution shall superintend and provide for the erection of suitable buildings for said institution.

Mr. Hilton moved to amend the amendment by striking out the commissioners named, and authorize the Governor to appoint the commissioners.

Mr. Caldwell moved that the bill with amendments be referred to Committee on Schools.

The motion prevailed.

Leave was granted to Mr. Irish to call up S. F. No. 110, A bill for an act to legalize the levy of certain taxes in the townships of Monroe and Jefferson, in Johnson county.

The bill was taken up and considered.

Mr. Irish moved that the rule be suspended, that the bill be considered engrossed and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were--

Messrs. Ainsworth, Ballinger, Beatty, of Jasper; Beresheim, Bergh, Blackman, Blakely, Bonewitz, Booth, Campbell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Crawford, Danforth, Davisson, Day, Dayton, Draper, Duncan, Duncombe, Durham, Ellsworth, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hilton, Hopkirk, Hovey, Irish, Kasson, Keables, Leahy, Lee, Litzenberg, McAllister, McClure, McCoy, Newbold, O'Donnell, Peet, Rice, Rohlf, Rule, Sandry, Schweer, Skillin, Stedman, Stewart, Stow, Tasker, Tufts, Tuttle, Van Deventer, Van Meter, Whitten, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Van Buren; and Mr. Speaker—Total, 67.

The nays were none.

Absent or excused—

Messrs. Appleton, Beatty, of Cedar; Blake, Bliss, Butler, Caldwell, Caldwell, Christoph, Close, Davis, Dumont, Ericson, Evans, Flenniken, Hanan, Hewett, Johnston, Maxwell, Merrell, Miller, Mills, Morrison, Paul, Perkins, Pratt, Reed, Renther, Secor, Struthers, Teale, Van Saun, Williams, and Wright, of Mills—Total, 33.

So the bill passed and the title was agreed to.

Leave of absence was granted to Messrs. Beatty, of Cedar, and Gear.

## PETITIONS.

Mr. Blackman presented a petition from citizens of Mitchell county praying for a change in county government.

Referred to Committee on County and Township Organizations.

Mr. Kasson presented a petition from citizens of northern Iowa praying for the abolition of the Circuit Court, and changes in county government.

Referred to Committee on County and Township Organizations.

Also, a petition asking for the organization of an independent school district in Franklin township, Polk county, Iowa.

Referred to Committee on Schools.

Mr. Newbold presented a petition from citizens of Van Buren and Henry counties asking for the abolition of the supervisor system.

Referred to Committee on County and Township Organizations.

Mr. Wright, of Van Buren, presented a petition from citizens of Van Buren county, praying for protection in the practice of medicine.

Referred to Committee on Medical Institutions.

Mr. Rice presented a petition from the citizens of Clarke county on the same subject.

Referred to Committee on Medical Institutions.

Mr. Hall presented a petition from the members of the bar of Des Moines county asking for a law empowering judges of District and Circuit courts to employ short-hand reporters for their courts.

Referred to Committee on Judiciary.

Mr. Rholf presented a preamble and resolution from the board of directors of the independent school district of the city of Davenport in regard to the use of the Bible in schools.

Referred to Committee on Schools.

## REPORTS OF COMMITTEES.

Mr. Newbold, from the Committee on Schools, submitted the following report:

MR. SPEAKER:—Your Committee on Schools, to whom was referred H. F. No. 383, A bill for an act in relation to the change of the boundary lines of civil townships, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, S. F. No. 212, A bill for an act to legalize the acts of the board of directors of the independent school district of Blakesburg, Wapello county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, H. F. No. 347, A bill for an act requiring the publication of the receipts and expenditures of independent school districts, and estimates or the future maintenance of the same, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, H. F. No. 386, A bill for an act to legalize the organization of the independent school district of West Grove, in Davis county, Iowa, beg leave to report that they have had the same under consideration, and a majority of the committee have instructed me to report the same back to the House with the recommendation that it do pass.

J. G. NEWBOLD, *Chairman.*

Mr. Newbold moved to call up H. F. No. 347, A bill for an act to legalize the acts of the board of directors of the independent school district of Blakesburg, Wapello county, Iowa.

The motion prevailed.

The bill was taken up and considered.

Mr. Newbold moved that the rule be suspended, that the bill be considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Ballinger, Beatty, of Jasper; Beresheim, Bergh, Blackman, Blakely, Bonewitz, Booth, Caldwell, Campbell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Crawford, Danforth, Day, Dayton, Draper, Duncan, Duncombe, Durham, Ellsworth, Evans, Freeman, Gear, Goodspeed, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Hovey, Irish, Kasson, Keables, Leahy, Lee, Litzenberg, McAllister, McClure, McCoy, Newbold, O'Donnell, Peet, Pratt, Reed, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Skillin, Stedman, Stewart, Stow, Tasker, Tufts, Tuttle, Van Deventer, Whitten, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Van Buren; and Mr. Speaker—Total, 70.

The nays were none.

Absent or excused—

Messrs. Appleton, Beatty, of Cedar; Blake, Bliss, Butler, Cadwell, Christoph, Close, Davis, Davisson, Dumont, Ericson, Flenniken, Green, Hanan, Johnston, Maxwell, Merrell, Miller, Mills, Morrison, Paul, Perkins, Secor, Struthers, Teale, Van Meter, Van Saun, Williams, and Wright, of Mills—Total, 30.

So the bill passed, and the title was agreed to.

Mr. Blackman, from special committee appointed to visit the



Soldiers' Orphan Home, at Davenport, submitted a report, which was passed on file.

Mr. Ellsworth, from Committee on Medical Institutions, submitted the following report :

MR. SPEAKER:—Your Committee on Medical Institutions, to whom was referred H. F. No. 376, A bill for an act for the protection of physicians and surgeons in cases of alleged mal-practice, and the citizens of the State of Iowa from quackery in the profession of medicine, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

L. F. ELLSWORTH, *Chairman.*

Mr. Ainsworth submitted the following report :

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 381, A bill for an act amending section 2823 of the Revision of 1860, relating to the proof of service of original notice, and fixing fees for such service, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended by adding to 1st section the accompanying amendment, and as amended that the bill do pass.

L. L. AINSWORTH, *of Committee.*

Mr. Bonewitz, from Committee on County and Township Organizations, submitted the following report :

MR. SPEAKER:—Your Committee on County and Township Organizations, to whom was referred a petition of W. R. Mead and others, for the abolition of Circuit Courts, and changes in county government, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House without recommendation.

Also, H. F. No. 340, A bill for an act to amend section 475, Revision of 1860, relative to the term of office of township trustees, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

P. G. BONEWITZ, *Chairman.*

Mr. Pratt, from the Committee on Judiciary, submitted the following report :

MR. SPEAKER:—Your Committee on the Judiciary, to whom was referred substitute for S. F. No. 71, A bill for an act to legalize the sale of certain swamp lands in Carroll county to E. F. Pargan, Wm. Bowers, and Robert Mulloy, beg leave to report that

they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, H. F. No. 352, A bill for an act to enable counties to furnish justices of the peace with a copy of Wood's Hand Book, for the use of their respective offices, beg leave to report that they have had the same under consideration, and a majority of said Committee have instructed me to report the same back to the House with the recommendation that it do pass.

Also, H. F. No. 373, A bill for an act relating to certain duties of assessors, county treasurers, and auditors, beg leave to report that they have had the same under consideration, and a majority of said Committee have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, a joint resolution proposing to amend the Constitution of the State of Iowa, and to provide for the reference and publication of the same, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, A bill for an act to amend section 3931, of the Revision of 1860, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, H. F. No. 368, A bill for an act to amend section 2218, of the Revision of 1860, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, H. F. No. 226, A bill for an act to amend section 4055, of the Revision of 1860, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended by the adoption of the substitute herewith reported, and recommend that said substitute do pass.

Also, H. F. No. 365, A bill for an act to amend section 3555, of the Revision of 1860, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, H. F. No. 363, A bill for an act to repeal chapter 132, of the laws of the Eighth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, H. F. No. 385, A bill for an act to legalize the acts of the board of supervisors of Hancock county, Iowa, authorizing the county recorder to make new indexes to deed records, beg leave to report that they have had the same under consideration, and have

instructed me to report the same back to the House with the recommendation that it do pass.

Also, S. F. No. 88, A bill for an act to amend chapter 53, of the Revision of 1860, so as to permit corporations in this State of an academical character, the membership of which shall consist of members and pastors of churches, delegates to any synod, conference or council, holding its annual meeting alternately in this and one or more adjoining states, to hold meetings of the corporation for the election of officers and the transaction of business in any adjoining state, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, H. F. No. 324, A bill for an act to legalize the acts of a board of appraisers to appraise certain school lands in Ringgold county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House without recommendation.

Also, H. F. No. 258, A bill for an act to amend section 2708, of the Revision of 1860, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, H. F. No. 358, A bill for an act to amend section 3293, of Revision of 1860, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, S. F. No. 102, A bill for an act relative to the law of the admission of the dying declarations of deceased persons in evidence, beg leave to report that they have had the same under consideration, and a majority of said committee have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, H. F. No. 371, A bill for an act to amend section 4244, of the revision of 1860, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, S. F. No. 43, A bill for an act to provide for an argument term of the Supreme Court at Council Bluffs, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

H. O. PRATT, *Chairman.*

Mr. McAllister, from the Committee on Incorporations, submitted the following report:

MR. SPEAKER:—Your Committee on Incorporations, to whom was

referred H. F. No. 367, A bill for an act to legalize the incorporation of the town of Clear Lake, Cerro Gordo county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, H. F. 364, A bill for an act to legalize the incorporation of the town of Ackley, in the county of Hardin, State of Iowa, and the election of officers for said incorporation, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

McALLISTER, *Chairman*.

Mr. Tufts, from the Committee on Claims, submitted the following report :

MR. SPEAKER :—Your Committee on Claims, to whom was referred the memorial of Wm. Branagan, relating to losses on contract for furnishing three boilers for Insane Asylum at Mt. Pleasant, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that be not allowed, for the reason that he has no legal claim upon the State, and it would be establishing a dangerous precedent for the welfare of the State if the claim is allowed.

TUFTS, *Chairman*.

By leave, Mr. Hall introduced H. F. No. 390, A bill for an act providing for the payment of bonds issued under chapter 58 of the laws of the Fourteenth General Assembly.

Read a first and second time, and referred to Judiciary Committee.

By leave, Mr. Green called up S. F. No. 184, A bill for an act concerning deeds and other instruments of writing acknowledged in foreign countries.

The bill was taken up and considered.

Mr. Green moved that the rule be suspended, that the bill be considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, " Shall the bill pass ? " the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Ballinger, Beatty, of Jasper; Beresheim, Bergh, Blackman, Blakely, Bonewitz, Booth, Caldwell, Campbell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Day, Dayton, Draper, Duncan, Duncombe, Ellsworth, Evans, Gear, Goodspeed, Green, Hall, Hanson, Heberling,

Hewett, Hilton, Hopkirk, Hovey, Irish, Kasson, Keables, Leahy, Lee, Litzenberg, McAllister, McClure, McCoy, Newbold, O'Donnell, Peet, Pratt, Reed, Renter, Rice, Rohlf, Rule, Sandry, Schweer, Skillin, Stedman, Stow, Tasker, Tufts, Tuttle, Van Meter, Whitten, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Van Buren, and Mr. Speaker—Total, 69.

The nays were none.

Absent or excused—

Messrs. Appleton, Beatty, of Cedar; Blake, Bliss, Butler, Cadwell, Christoph, Davis, Davisson, Dumont, Durham, Ericson, Flenniken, Freeman, Hanan, Johnston, Maxwell, Merrell, Miller, Mills, Morrison, Paul, Perkins, Secor, Stewart, Struthers, Teale, Van Deventer, Van Saun, Williams, and Wright, of Mills—Total, 31.

So the bill passed and the title was agreed to.

#### INTRODUCTION OF BILLS.

Mr. Wood, of Clay, introduced H. F. No. 391, A bill for an act to legalize the tax in Emmet county, Iowa, for making and repairing bridges.

Read a first and second time, and referred to Committee on Roads and Highways.

Mr. Beatty, of Jasper, introduced H. F. No. 392, A bill for an act to provide for the alteration of roads in certain cases.

Read a first and second time, and referred to Committee on Roads and Highways.

Leave of absence was granted to Mr. McAllister.

Mr. Hilton moved that H. F. No. 46, be taken up and made a special order for Wednesday, April 3d, at two P. M.

The motion prevailed.

#### REPORT OF COMMITTEE.

Mr. Close, from Committee on Agriculture, submitted the following report:

MR. SPEAKER:—Your Committee on Agriculture, to whom was referred H. F. No. 209, A bill for an act to provide for the assessment of dogs and fixing a property valuation in the same, and for other purposes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

CLOSE, *Chairman.*

On motion of Mr. Blakely, H. F. No. 209, A bill for an act to provide for the assessment of dogs, &c., was taken up and considered.

Mr. Blakely moved that the rule be suspended, that the bill be considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

Mr. Leahy moved to amend by way of rider as follows: "This act shall not apply to poodle and shepherd dogs."

The rider was read a first and second time, and lost.

Mr. Campbell moved to amend by way of rider as follows: "This act shall not take effect until after the annual assessment of 1873."

The rider was read a first and second time, and adopted.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Beresheim, Blakely, Campbell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davisson, Evans, Freeman, Gear, Goodspeed, Hall, Hanson, Hopkirk, Leahy, Reed, Schweer, Skillin, Tuttle, Van Meter, Wood, of Story; Wright, of Van Buren; and Mr. Speaker—Total, 27.

The nays were—

Messrs. Ainsworth, Ballinger, Beatty, of Jasper; Bergh, Blackman, Bonewitz, Booth, Caldwell, Day, Dayton, Draper, Duncan, Duncombe, Ellsworth, Green, Heberling, Hilton, Hovey, Irish, Keables, Lee, Litzenberg, McClure, McCoy, Newbold, O'Donnell, Peet, Pratt, Reuther, Rice, Rohlf, Rol, Sandry, Stedman, Stewart, Stow, Tasker, Tufts, Whitten, Wilson, of Keokuk; Wilson, of Washington; and Wood, of Clay—Total, 42.

Absent or excused—

Messrs. Appleton, Beatty, of Cedar; Bliss, Butler, Cadwell, Christoph, Davis, Dumont, Durham, Ericson, Flenniken, Hanan, Hewett, Johnston, Kasson, Maxwell, McAllister, Merrell, Miller, Mills, Morrison, Paul, Perkins, Secor, Struthers, Teale, Van Deventer, Van Sann, Williams, and Wright, of Mills—Total, 31.

So the bill did not pass.

Concurrent resolution authorizing the Census Board to procure a portrait of the late Governor James W. Grimes, was taken up and passed on file.

S. F. No. 123, A bill for an act to repeal section 781 of chapter 45, of the Revision of 1860, &c., was read a first and second time, and referred to the Committee on Judiciary.

S. F. No. 225, A bill for an act for the relief of Bremer county, Iowa, for money stolen from the county safe.

Read a first and second time, and referred to the Committee on Ways and Means.

S. F. No. 18, A bill for an act for the relief of Jasper county, Iowa, for money stolen from the county safe.

Read a first and second time, and referred to the Committee on Ways and Means.

S. F. No. 61, A bill for an act for the relief of Marion county.

Read a first and second time, and referred to the Committee on Ways and Means.

S. F. No. 190, A bill for an act making appropriations for the Agricultural College and Farm.

Read a first and second time, and referred to the Committee on Ways and Means.

H. F. No. 78, A bill for an act relating to taxes for bridge purposes, was taken up and on the adoption of the Senate amendments, the yeas and nays were as follows :

The yeas were—

Messrs. Ballinger, Beatty, of Jasper; Beresheim, Bergh, Blackman, Blakely, Booth, Caldwell, Campbell, Cardell, Carver, Clarke, of Iowa; Close, Crawford, Day, Dayton, Duncombe, Evans, Freeman, Gear, Goodspeed, Hall, Hanson, Hewett, Hilton, Hopkirk, Hovey, Irish, Kasson, Keables, Leahy, Lee, Litzenberg, McClure, Newbold, O'Donnell, Peet, Pratt, Reed, Reuther, Rohlfis, Rule, Sandry, Skillin, Stedman, Stow, Tasker, Tuttle, Van Meter, Whitten, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Van Buren; and Mr. Speaker—Total, 56.

The nays were—

Messrs. Ainsworth, Danforth, Davisson, Duncan, Ellsworth, Green, Heberling, McAllister, McCoy, Schweer, Tufts, and Whitten—Total, 12.

Absent or excused—

Messrs. Appleton, Beatty, of Cedar; Blake, Bliss, Bonewitz, Butler, Cadwell, Christoph, Clark, of Benton; Davis, Draper, Dumont, Durham, Ericson, Flenniken, Hanan, Johnston, Maxwell, Merrell, Miller, Mills, Morrison, Paul, Perkins, Rice, Secor, Struthers, Teale, Van Deventer, Van Saun, Williams, and Wright, of Mills—Total, 32.

So the Senate amendment was concurred in.

S. F. No. 83, A bill for an act to define and punish misdemeanors in the buying, selling and delivery of coin, &c.

Read a first and second time, and referred to Committee on Judiciary.

S. F. No. 111, A bill for an act to amend section 2800, of the Revision of 1860, &c.

Read a first and second time, and referred to the Committee on Judiciary.

Mr. Davisson moved that the House do now adjourn.

The motion did not prevail.

S. F. No. 94, A bill for an act for the relief of corporations for pecuniary benefit, &c.

Read a first and second time, and referred to the Committee on Incorporations.



S. F. No. 221, A bill for an act for the relief of Louisa county, Iowa, for money stolen from the county safe, &c.

Read a first and second time, and referred to the Committee on Ways and Means.

S. F. No. 227, A bill for an act for the relief of James Jordan and Matilda Carter.

Read a first and second time, and referred to the Committee on Claims.

S. F. No. 219, A bill for an act providing for the acknowledgment and recording of deeds in certain cases, and rendering valid the acknowledgments of deeds and instruments in writing.

Read a first and second time, and referred to the Committee on Judiciary.

S. F. No. 223, A bill for an act dividing the State into nine congressional districts.

Read a first and second time, and referred to the Committee on Congressional Districts.

S. F. No. 127, A bill for an act authorizing the Superintendent of Public Instruction to procure a seal for his official use.

Read a first and second time, and passed on file.

Joint resolution asking for increased mail privileges, was referred to the Committee on Federal Relations.

Mr. Clark, of Benton, moved that the House do now adjourn.

On the motion to adjourn, Mr. Green demanded the yeas and nays, which were as follows :

The yeas were—

Messrs. Ainsworth, Ballinger, Beatty of Jasper; Bergh, Booth, Campbell, Crawford, Dayton, Duncombe, Ellsworth, Hall, Hovey, Kasson, Lee, Newbold, Peet, Rohlf, Stewart, Stow, Van Meter, Wood, of Clay; and Wright, of Van Buren—Total, 22.

The nays were—

Messrs. Beresheim, Blackman, Blakely, Bonewitz, Carver, Clark, of Benton; Clarke of Iowa; Close, Danforth, Davisson, Day, Draper, Duncan, Evans, Freeman, Gear, Goodspeed, Green, Hanson, Heberling, Hewett, Hilton, Hopkirk, Irish, Keables, Leahy, Litzenberg, McAllister, McClure, McCoy, O'Donnell, Pratt, Reed, Reuther, Rice, Rule, Sandry, Schweer, Skillin, Stedman, Tasker, Tufts, Tuttle, Whitten, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story; and Mr. Speaker—Total, 48.

Absent or excused—

Messrs. Appleton, Beatty of Cedar; Blake, Bliss, Butler, Cadwell, Caldwell, Cardell, Christoph, Davis, Dumont, Durham, Ericson, Flenniken, Hanan, Johnston, Maxwell, Merrell, Miller, Mills, Morrison, Paul, Perkins, Secor, Struthers, Teale, Van Deventer, Van Saun, Williams, and Wright, of Mills—Total, 30.

So the motion to adjourn did not prevail.

Mr. Irish moved a call of the House, which was ordered.

The Clerk proceeded to call the roll.

Mr. Campbell moved that further proceedings under the call be dispensed with.

The motion did not prevail.

Leave of absence was granted to Messrs. Hovey and Durham.

Mr. Campbell moved that the House adjourn.

The motion did not prevail.

Mr. Hall moved that further proceedings under the call be dispensed with.

The motion prevailed.

Mr. Gear moved that the House do now adjourn.

The motion prevailed, and the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, March 30, 1872. }

The House convened pursuant to adjournment.

The Speaker in the chair.

Prayer by Rev. S. Doran.

Journal of yesterday read and approved.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following bills with amendments:

H. F. No. 204, A bill an act to amend section 835 of Revision of 1860, so as to authorize road commissioners to swear their assistants.

Senate amended by striking out the second section.

H. F. No. 337, A bill for an act to legalize the donation of the swamp lands and swamp land funds of Hamilton county, Iowa, to the Des Moines, Boone & Northern Railway Company, and the Iowa, Minnesota, and North Pacific Railway Company.

Senate amended by striking out "seven," in the first line of second page, and inserting "eight."

In all of which amendments the concurrence of the House is respectfully asked.

I am also directed to inform your honorable body that the Senate has concurred in House amendments to S. F. No. 32, A bill for an act authorizing municipal corporations to levy poll tax.

J. A. T. HULL, *Secretary.*

## PETITIONS.

Mr. Blake presented the petition of Oaleb Bann, Co. L., 1st Iowa Cavalry, which was referred to Committee on Military Affairs.

Mr. Blakely presented a petition from citizens of Davis county praying for a stringent law to protect the people of Iowa from imposition in the practice of medicine.

Referred to Committee on Medical Institutions.

## REPORTS OF COMMITTEES.

Mr. Lee, from Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER:—Your Committee on Engrossed Bills, ask leave to report that they have examined the following bills, and find the same correctly engrossed :

H. F. No. 88, A bill for an act to amend section 1088 of the Revision of 1860, and to direct the appropriation of fines in certain cases.

H. F. No. 107, A bill for an act to enable townships, incorporated towns, cities, &c.

H. F. No. 90, A bill for an act to amend chapter 29 of the acts of the Ninth General Assembly.

H. F. No. 42, A bill for an act to amend section 781 of the Revision of 1860.

JOHN M. LEE, *of Committee.*

Leave of absence was granted to Messrs. Goodspeed, Campbell, Green, Freeman, Hall, Duncombe, Dumont, Heberling and Reed.

Mr. Close asked leave, and had his vote recorded "yea" on the passage of S. F. No. 50, which passed the House on yesterday.

Mr. Williams, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 366, A bill for an act to authorize clerks of the district and circuit courts to satisfy mortgages foreclosed in said court, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

J. L. WILLIAMS, *member of Committee.*

Mr. Rohlf, from the Committee on Compensation, submitted the following report:

MR. SPEAKER:—Your Committee on Compensation of Public Officers, to whom was referred H. F. No. 375, A bill for an act to

amend section 3, chapter 160, laws of the Twelfth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

M. J. ROHLFS, *Chairman.*

Mr. Tufts offered the following resolution, which was adopted:

JOINT RESOLUTION.

*Be it resolved by the General Assembly of the State of Iowa, That our Senators in Congress be instructed and our Representatives be requested to use their influence to procure the passage of an act that shall place lumber on the free list, that no further import duties shall be collected on the same.*

*Resolved, That the Secretary of State be, and is hereby instructed to furnish a copy of these resolutions to each of our Senators and Representatives in Congress.*

Mr. Duncan offered the following resolution:

*Resolved, That after the 1st of April this House hold two sessions per day.*

Mr. Rohlf's moved to amend by making the session from 9 o'clock A. M. to 12 M. and from 2 P. M. to 5 P. M.

Mr. Blakely moved to amend the amendment by making it 8 o'clock A. M., &c.

Mr. Stow moved to postpone until the 1st of April.

The motion did not prevail.

The amendment to the amendment did not prevail.

Mr. Stow moved to amend by striking out 5 P. M. and inserting 9 P. M.

The motion did not prevail.

Mr. Leahy moved to amend by making the resolution take effect April 6th.

The motion did not prevail.

Mr. Evans moved to amend by making the resolution take effect April 3.

The motion did not prevail.

The resolution as amended was adopted.

By leave Mr. Blackman, from the Committee on Public Lands submitted the following report:

MR. SPEAKER:—Your Committee on Public Lands, to whom was referred a resolution of inquiry, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with accompanying bill.

BLACKMAN, *Chairman.*

By leave Mr. O'Donnell offered the following resolution, which was adopted:

*Resolved*, That the Committee on Constitutional Amendment be instructed to inquire as to what amendment, if any is necessary to the constitution, to provide a successor to the office of Lieutenant Governor in case of death, resignation or other disability of the Lieutenant Governor, President *pro tem* of the Senate, and Speaker of the House.

#### INTRODUCTION OF BILLS.

Mr. Blake introduced H. F. No. 393, A bill for an act to legalize the acts of the board of school directors of the independent school district of New Cherokee, in Cherokee county, Iowa.

Read a first and second time and referred to Committee on Schools.

Mr. Blackman introduced committee bill, H. F. No. 394, A bill for an act concerning the transfer and conveyance of real estate by counties.

Read a first and second time, and referred to Judiciary Committee.

Leave of absence was granted to Messrs. Kasson, Cadwell, and Wright, of Mills.

#### MESSAGES ON THE SPEAKER'S TABLE.

H. F. No. 204, A bill for an act to amend section 835 of the Revision of 1860, so as to authorize, &c., with the Senate amendment, was taken up and considered.

On the adoption of the Senate amendment, the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Ballinger, Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Blakely, Booth, Caldwell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Olose, Crawford, Danforth, Davis, Day, Dayton, Draper, Duncan, Evans, Hanson, Hewett, Hilton, Hopkirk, Hovey, Irish, Keables, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, McCoy, Newbold, O'Donnell, Peet, Pratt, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Skillin, Stedman, Stewart, Stow, Tasker, Tufts, Van Meter, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Van Buren; and Mr. Speaker—Total, 61.

The nays were none.

Absent or excused—

Messrs. Appleton, Beatty, of Cedar; Bliss, Bonewitz, Butler, Caldwell, Campbell, Christoph, Davisson, Dumont, Duncombe, Durham, Ellsworth, Ericson, Flenniken, Freeman, Gear, Goodspeed,

Green, Hall, Hanan, Heberling, Johnston, Kasson, Merrell, Miller, Mills, Morrison, Paul, Perkins, Reed, Secor, Struthers, Teale, Tuttle, Van Deventer, Van Saun, Whitten, and Wright, of Mills—Total, 39.

So the Senate amendment was concurred in.

H. F. No. 237, A bill for an act to legalize the donation of the swamp lands and swamp land funds of Hamilton County, Iowa, &c., with the Senate amendment, was taken up and considered.

On the adoption of the Senate amendment the yeas and nays were as follows :

The yeas were—

Messrs. Ainsworth, Ballinger, Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Blakely, Booth, Caldwell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Day, Dayton, Draper, Evans, Hewett, Hilton, Hopkirk, Hovey, Irish, Keables, Leahy, Lee, Litzenberg, Maxwell, McAllister, McOlure, McCoy, Newbold, O'Donnell, Peet, Pratt, Renter, Rice, Rohlf, Rule, Sandry, Schweer, Skillin, Stedman, Stewart, Stow, Tasker, Tufts, Van Meter, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright of Van Buren, and Mr. Speaker—Total, 58.

The nays were none.

Absent or excused—

Messrs. Appleton, Beatty, of Cedar; Bliss, Bonewitz, Butler, Cadwell, Campbell, Cardell, Christoph, Davisson, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Flenniken, Freeman, Gear, Goodspeed, Green, Hall, Hanan, Hanson, Heberling, Johnston, Kasson, Merrell, Miller, Mills, Morrison, Paul, Perkins, Reed, Secor, Struthers, Teale, Tuttle, Van Deventer, Van Saun, Whitten, and Wright, of Mills—Total, 42.

So the Senate amendments were concurred in.

Mr. Williams offered the following resolution, which was referred to Committee on Compensation of Public Officers :

*Resolved*, That the compensation per day of the officers and employees of the House be as follows :

Chief Clerk.....	\$10.00
First and second assistant, each.....	8.00
Engrossing and Enrolling clerk, each.....	7.00
Sergeant-at-Arms.....	5.00
Janitors, each.....	6.00
Doorkeeper and paper folders, each.....	4.00
Messengers, each.....	3.00

By leave, Mr. O'Donnell introduced H. F. No. 395, A bill for an act for the relief of the asylum for destitute and orphan children at Andrew, Iowa.

Read a first and second time, and referred to Committee on Orphans' Homes.

Also, H. F. No. 396, A bill for an act to legalize deeds and conveyances made by executors.

Read a first and second time, and referred to Judiciary Committee.

Also, H. F. No. 397, A bill for an act for the relief of the father and heirs of the late Joseph B. Dorr, Colonel of the Eighth Iowa Infantry.

Read a first and second time, and referred to Committee on Ways and Means.

BILLS ON SECOND READING.

H. F. No. 232, A bill for an act to amend the school law, was taken up and considered, and in accordance with the recommendation of the committee was indefinitely postponed.

H. F. No. 208, A bill for an act to restore territory set off for school purposes, was taken up and considered.

The bill was ordered engrossed and to be read a third time.

H. F. No. 215, A bill for an act regulating the division of teachers funds, &c., was taken up, and in accordance with the recommendation of the committee was indefinitely postponed.

H. F. No. 185, A bill to amend section 65, chapter 172, acts of the Ninth General Assembly, was taken up, and in accordance with the recommendation of the committee was indefinitely postponed.

H. F. No. 183, An act to amend section 722, chapter 45, of the revision of 1860, in relation to revenue, was taken up, and in accordance with the recommendation of the committee was indefinitely postponed.

Substitute for H. F. No. 71, A bill for an act permitting proprietors of mills, nearest to meandered lakes, &c., was taken up and considered with the substitute.

Mr. Davis moved to strike out the publication clause.

Mr. Ainsworth moved that the bill be postponed for one day.

The motion prevailed.

H. F. No. 111, A bill for an act in relation to the State Library and the duties of State Librarian, was taken up and considered.

Mr. Leahy moved that the bill be postponed until Thursday, April 4th, at 9:30 A. M.

The motion prevailed.

Substitute for H. F. No. 54, A bill for an act to reduce the amount of postage to be allowed to members of the General Assembly, was taken up and considered.

The first amendment recommended by the committee was adopted.

Mr. Beresheim moved that the further consideration of this bill be postponed till Tuesday, April 2.



Mr. Ainsworth moved to amend by inserting Wednesday, April 3.

The motion did not prevail.

Mr. Leahy moved that this bill with all bills on the same subject, be made a special order for Wednesday, April 3d, at 3 o'clock P. M.

The motion prevailed.

Mr. Irish, by leave, introduced H. F. No. 898, A bill for an act to reassign certain territory in Johnson county for school purposes.

Read a first and second time, and referred to Committee on Schools.

H. F. No. 139, A bill for an act prescribing the manner of paying county warrants, was taken up and considered.

Mr. Ainsworth moved that the bill be postponed for one day.

The motion prevailed.

S. F. No. 75, A bill for an act pertaining to the division of civil townships, was taken up and considered.

Mr. Leahy moved to strike out the publication clause.

The motion prevailed.

The bill was ordered to a third reading.

By leave, Mr. Danforth called up H. F. No. 802, A bill for an act entitled an act to amend section 498 of the Revision of 1860, &c.

Mr. Dayton moved that the rule be suspended, the bill considered engrossed and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Ballinger, Beatty, of Jasper; Beresheim, Bergh, Blake, Blakely, Booth, Caldwell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Day, Dayton, Draper, Duncan, Evans, Hanson, Hewett, Hilton, Hopkirk, Hovey, Irish, Keables, Leahy, Lee, Litzenberg, Maxwell, McAllister, McCoy, Newbold, O'Donnell, Peet, Renther, Rice, Rohlf, Rule, Sandry, Schweer, Skillin, Stedman, Stewart, Stow, Tutts, Tuttle, Van Meter, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Van Buren, and Mr. Speaker—Total, 58.

The nays were none.

Absent or excused—

Messrs. Appleton, Beatty of Cedar; Blackman, Bliss, Bonewitz, Butler, Cadwell, Christoph, Davisson, Dumont, Durcombe, Durham, Ellsworth, Ericson, Flenniken, Freeman, Gear, Goodspeed, Green, Hall, Hanan, Heberling, Johnston, Kasson, McClure, Merrell, Miller, Mills, Morrison, Paul, Perkins, Pratt, Reed, Secor, Struthers, Tasker, Teale, Van Deventer, Van Sann, Whitten, and Wright, of Mills—Total, 42.

So the bill passed, and the title was agreed to.

Leave was granted to Mr. Caldwell to call up S. F. No. 212, A bill for an act to legalize the acts of the board of directors of the independent school district of Blakesburg, Wapello county, Iowa.

Mr. Caldwell moved that the rule be suspended, and that the bill be read a third time now.

Mr. Davis moved that the bill be recommitted to Committee on Schools.

The motion prevailed.

Leave was granted to Mr. Van Meter to call up H. F. No. 291, A bill for an act to repeal part of section 1, chapter 23, acts of the Ninth General Assembly.

Mr. Leahy moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Beresheim, Blake, Blakely, Booth, Cardell, Clark, of Benton; Close, Crawford, Davis, Day, Draper, Duncan, Evans, Hanson, Hovey, Keables, Lee, Litzenberg, McAllister, McClure, McCoy, Newbold, O'Donnell, Peet, Pratt, Reuther, Rice, Rohlf, Rule, Stedman, Tufts, Tuttle, Wilson, of Keokuk; Wilson, of Washington; and Mr. Speaker—Total, 36.

The nays were—

Messrs. Ainsworth, Ballinger, Bergh, Caldwell, Clarke, of Iowa; Davisson, Dayton, Hilton, Hopkirk, Leahy, Sandry, Schweer, Skil-Stewart, Stow, Tasker, Van Meter, Wood, of Clay; Wood, of Story; and Wright, of Van Buren—Total, 19.

Absent or excused—

Messrs. Appleton, Beatty, of Cedar; Beatty, of Jasper; Blackman, Bliss, Bonewitz, Butler, Cadwell, Campbell, Carver, Christoph, Danforth, Davisson, Dumont, Duncombe, Durham, Ellsworth, Ericson, Flenniken, Freeman, Gear, Goodspeed, Green, Hall, Hanan, Heberling, Hewett, Irish, Johnston, Kasson, Maxwell, Merrell, Miller, Mills, Morrison, Paul, Perkins, Reed, Secor, Struthers, Teale, Van Deventer, Van Saun, Whitten, and Wright, of Mills—Total, 45.

So the bill did not pass.

H. F. No. 184, A bill for an act providing for the construction of bridges in certain cases, was taken up and considered.

The amendments recommended by the Committee were adopted.

Mr. Ainsworth moved that the bill be indefinitely postponed.

The motion prevailed.

H. F. No. 5, A bill for an act to ensure the better education of practitioners of dentistry, was taken up and considered.

The bill was postponed for one day.

H. F. No. 149, A bill for an act to amend section 1775, and 1784, of the Revision of 1860, was considered.

The bill was ordered to be engrossed for a third reading.

Substitute for H. F. No. 190, A bill for an act to amend section 4, chapter 148, of the acts of the Thirteenth General Assembly, was taken up and considered.

Mr. Rohlfis moved to strike out "three dollars," and insert "four dollars."

On the adoption of the amendment, Messrs. Peet and Reuther demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Ainsworth, Ballinger, Beresheim, Blake, Booth, Caldwell, Close, Day, Dayton, Evans, Hilton, Hovey, Irish, Keables, Lee, Litzenberg, McAllister, McClure, Newbold, O'Donnell, Pratt, Reuther, Rohlfis, Schweer, Skillen, Stedman, Stewart, Stow, Tufts, Williams, Wilson, of Washington; Wood, of Clay; Wood, of Story; and Mr. Speaker---Total, 34.

The nays were—

Messrs. Beatty, of Jasper; Blackman, Blakely, Carver, Clark, of Benton; Clarke, of Iowa; Crawford, Danforth, Davis, Draper, Duncan, Hanson, Hewett, Hopkirk, Leahy, McCoy, Peet, Rule, Sandry, Tasker, Tuttle, Van Meter, Wilson, of Keokuk; and Wright, of Van Buren---Total, 24.

Absent or excused—

Messrs. Appleton, Beatty, of Cedar; Bergh, Bliss, Bonewitz, Butler, Cadwell, Campbell, Cardell, Christoph, Davisson, Dumont, Duncombe, Durham, Ellsworth, Ericson, Flenniken, Freeman, Gear, Goodspeed, Green, Hall, Hanan, Heberling, Johnston, Kasson, Maxwell, Merrell, Miller, Mills, Morrison, Paul, Perkins, Reed, Rice, Secor, Struthers, Teale, Van Deventer, Van Saun, Whitten, and Wright, of Mills---Total, 42.

So the amendment prevailed.

On motion of Mr. Lee the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, April 1, 1872. }

House convened pursuant to adjournment.

The Speaker in the chair.

Prayer by Rev. J. A. Nash

Journal of Saturday read and approved.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following bills, in which the concurrence of the House is asked:

S. F. No. 147, A bill for an act to empower the board of trustees of the Agricultural College to grant diplomas to students therein.

Also, S. F. No. 183, A bill for an act to provide a system of normal schools for the State of Iowa.

Also, S. F. No. 202, A bill for an act for the better prevention of criminal abortion.

Also, S. F. No. 231, A bill for an act to legalize the acts of George E. Maxwell as recorder of the incorporated town of Tama City, Tama county, Iowa.

I am directed to inform your honorable body that the Senate has passed the following bill without amendment:

H. F. No. 101, A bill for an act prohibiting clerks and deputy clerks of district and circuit courts practicing as attorneys or solicitors in said courts, and prohibiting their holding the office of justice of the peace.

I am also directed to inform your honorable body that the Senate has concurred in House amendment to S. F. Nos. 50 and 171.

J. A. T. HULL, *Secretary*.

Mr. Newbold had leave to call up S. F. No. 231, A bill for an act to legalize the acts of Geo. E. Maxwell, recorder of the incorporated town of Tama City, Tama county, Iowa.

The bill was read a first and second time.

Mr. Newbold moved that the rule be suspended, that the bill be considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Ballinger, Beatty, of Jasper; Beresheim, Bergh, Blake, Blakely, Caldwell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Day, Draper, Duncan, Duncombe, Hall, Hanson, Hewett, Hilton, Hopkirk, Hovey, Irish, Kasson, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Newbold, O'Donnell, Reuther, Rice, Roblfs. Rule, Sandry, Schweer, Skillin, Stedman, Stewart, Stow, Tasker, Van Meter, Whitten, Wilson, of Keokuk; Wood, of Clay; Wood, of Story; Wright, of Van Buren; and Mr. Speaker—Total, 56.

The nays were none.

Absent or excused—

Messrs. Appleton, Beatty, of Cedar; Blackman, Bliss, Bonewitz, Booth, Butler, Cadwell, Campbell, Christoph, Davisson, Dayton,

Dumont, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Gear, Goodspeed, Green, Hanan, Heberling, Johnston, Keables, Miller, Mills, Morrison, Paul, Peet, Perkins, Pratt, Reed, Secor, Struthers, Teale, Tufts, Tuttle, Van Deventer, Van Saun, Williams, Wilson, of Washington; and Wright, of Mills—Total, —44.

So the bill passed the House, and the title was agreed to.

By leave, Mr. Ainsworth called up H. F. No. 331, A bill for an act amending section 2323 of the Revision of 1860.

The bill was taken up and considered.

The amendment recommended by the committee was adopted.

Mr. Ainsworth moved that the rule be suspended, that the bill be considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Ballinger, Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Blakely, Booth, Caldwell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Day, Dayton, Duncan, Duncombe, Evans, Hall, Hanson, Hewett, Hilton, Hopkirk, Hovey, Irish, Kasson, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Newbold, O'Donnell, Pratt, Renther, Rice, Rohlf, Rule, Sandry, Schweer, Skillin, Stedman, Stewart, Stow, Tasker, Van Meter, Whitten, Wilson, of Keokuk; Wood, of Clay; Wood, of Story; Wright, of Van Buren; and Mr. Speaker—Total, 60.

The nays were none.

Absent or excused—

Messrs. Appleton, Beatty, of Cedar; Bliss, Bonewitz, Butler, Cadwell, Campbell, Christoph, Davisson, Draper, Dumont, Durham, Ellsworth, Ericson, Flenniken, Freeman, Gear, Goodspeed, Green, Hanan, Heberling, Johnston, Keables, Miller, Mills, Morrison, Paul, Peet, Perkins, Reed, Secor, Struthers, Teale, Tufts, Tuttle, Van Deventer, Van Saun, Williams, Wilson, of Washington; and Wright, of Mills—Total, 40.

So the bill passed and the title was agreed to.

Leave of absence was granted to Messrs. Tufts, Peet, and Draper.

On motion of Mr. O'Donnell, H. F. No. 136, A bill for an act to repeal sections 4149 and 4152 of the Revision of 1860, and providing a substitute therefor, was taken up and considered.

The first amendment recommended by the committee was adopted.

The second amendment recommended by the committee was adopted.

The third amendment recommended by the committee was adopted.

Mr. Maxwell moved to amend the fourth amendment recommended by the committee by striking out of the 27th line the word "suit."

The motion prevailed.

The amendment recommended by the committee, as amended, was adopted.

Mr. Maxwell moved to amend the 5th amendment recommended by the Committee by striking out "25 cents" and inserting "5 cents."

The motion prevailed.

The amendment, as amended, was adopted.

The sixth amendment recommended by the committee was adopted.

Mr. Maxwell moved to amend sixth committee amendment by striking out of the 29th line the words "witness or."

The motion prevailed.

The amendment, as amended, was adopted.

The seventh and eighth amendments recommended by the committee were adopted.

Mr. Maxwell moved to strike out of the 10th line the words "besides mileage."

The motion prevailed.

Mr. Maxwell moved to strike out all of the 12th line.

The motion prevailed.

Mr. Maxwell moved to strike out of the 16th line the words "besides mileage."

The motion prevailed.

Mr. Maxwell moved to strike out the 23d line.

The motion prevailed.

Leave of absence was granted Mr. Edwards, the Assistant Postmaster, on account of sickness.

Mr. Maxwell moved to strike out of 24th line "50 cents," and insert "25 cents."

The motion prevailed.

Mr. Maxwell moved to amend 25th line by inserting "drawing and approving."

The motion prevailed.

Mr. Maxwell moved to amend the 29th line by striking out "\$1," and inserting "50 cents."

The motion prevailed.

Mr. Maxwell moved to amend the 31st line by striking out "50 cents," and inserting "25 cents."

The motion prevailed.

Mr. Maxwell moved to amend the 32d line by striking out the word "case," and inserting "civil cases."

The motion prevailed.

Mr. Maxwell moved to strike out of the 40th line the words "or examination."

The motion prevailed.

Mr. Clark, of Benton, moved to strike out the 37th line.

The motion prevailed.

Mr. Evans moved to amend the 43d line by adding after the word "peace" the words "and constable."

The amendment was adopted.

Mr. Stow moved to amend the 42d line by inserting "which shall be added to the cost."

The motion did not prevail.

Leave of absence was granted to Mr. Tuttle.

Mr. Clark moved to amend the 21st line by adding "except in garnishment cases."

The amendment was adopted.

Mr. Hilton moved to strike out the 43d, 44th, and 45th lines.

The motion did not prevail.

Mr. Stow moved to amend by adding to 14th line, "which shall be added to the cost."

The amendment was adopted.

Mr. Clark, of Benton, moved to amend by adding to 41st line, "for making and certifying transcript 50 cents."

The amendment was adopted.

Mr. Hall moved to amend the 14th line, as amended, by adding, "*Provided*, that when 5 per cent has been paid to such constable no further percentage shall be paid over to the justice under this act."

Mr. Clark, of Benton, moved to insert in lieu of line 37 the words, "for each execution, renewal of execution, or warrant of any kind, 50 cents."

The amendment was adopted.

The bill was ordered to be engrossed, and to be read a third time.

Mr. O'Donnell moved that the rule be suspended, that the bill be considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Beresheim, Bergh, Blackman, Booth, Caldwell, Cardell, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Davis, Day, Dayton, Duncan, Duncombe, Hall, Hanson, Hewett, Irish, Kasson, Leahy, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Newbold, Pratt, Reuther, Rohlf, Rule, Sandry, Schweer, Skillin, Stedman, Stewart, Stow, Tasker, Van Meter, Williams, Wilson, of Keokuk; Wood, of Clay; Wright, of Van Buren; and Mr. Speaker—Total, 46.



The nays were—

Messrs. Beatty, of Jasper; Blakely, Danforth, Hilton, Hopkirk, Lee, O'Donnell, Rice, and Wood, of Story—Total, 9.

Absent or excused—

Messrs. Appleton, Beatty, of Cedar; Ballinger, Blake, Bliss, Bonewitz, Butler, Cadwell, Campbell, Carver, Christoph, Davisson, Draper, Dumont, Durham, Ellsworth, Ericson, Evans, Fleniken, Freeman, Gear, Goodspeed, Green, Hanan, Heberling, Hovey, Johnston, Keables, Miller, Mills, Morrison, Paul, Peet, Perkins, Reed, Secor, Struthers, Teale, Tufts, Tuttle, Van Deventer, Van Sann, Whitten, Wilson, of Washington; and Wright, of Mills—Total, 45.

So the bill failed to pass the House for want of a constitutional majority.

By leave, Mr. Irish introduced H. F. No. 399, A bill for an act to give sub directors control of school property.

The bill was read a first and second time.

Mr. Irish moved to amend section 1 as follows:

*Provided*, that when petitioned by a majority of the electors in the sub district, he shall permit the school house in his sub district to be used for literary or religious purposes.

The amendment was adopted.

Mr. Reuther offered the following amendment:

The parties using the school house by such consent of the sub director, shall be liable for all damages done to the school house and other property belonging thereto, and it shall be the duty of the sub director to assess and collect such damages of the said parties.

On motion of Mr. Irish, the bill with the amendments was referred to the Committee on Schools, with instructions to report on next Friday.

Mr. Blake moved to take up S. F. No. 183, A bill for an act to provide a system of normal schools for the State of Iowa.

The motion prevailed, and the bill was taken up and read a first and second time and ordered printed.

#### JOINT RESOLUTION.

Mr. Pratt offered the following joint resolution, which was referred to the Committee on Ways and Means:

A joint resolution for the relief of the county of Howard.

WHEREAS, on the night of the 15th of March, A. D. 1868, the Howard county safe was blown open with gunpowder and robbed of funds to the amount of eleven thousand eight hundred and three and ninety-seven hundredths dollars, and no part of which has ever been recovered, and,

WHEREAS, of the funds so abstracted, it is represented that about

one thousand, two hundred and twelve and forty-nine hundredths dollars was funds of the State ; therefore,

*Be it Resolved by the General Assembly of the State of Iowa,* That the Auditor of State be and he is hereby authorized to credit the said county of Howard, upon the proper certificate of the commissioners of said county, the amount that shall be shown to his satisfaction to have been so abstracted and not recovered, and in no case to exceed the said sum of one thousand two hundred and twelve and forty-nine hundredths dollars.

Mr. Newbold called up S. F. No. 127, A bill for an act authorizing the Superintendent of Public Instruction to procure a seal for his official use.

The bill was taken up and considered.

Mr. Newbold moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, " Shall the bill pass ? " the yeas and nays were as follows :

The yeas were—

Messrs. Beatty, of Jasper ; Beresheim, Bergh, Blackman, Blake, Blakely, Booth, Caldwell, Cardell, Carver, Close, Crawford, Danforth, Davis, Day, Dayton, Duncan, Duncombe, Evans, Hall, Hanson, Hewatt, Hopkirk, Hovey, Irish, Kasson, Leahy, Lee, Maxwell, McAllister, McCoy, O'Donnell, Pratt, Rice, Rul-, Sandry, Stedman, Tasker, Van Meter, Williams, Wilson, of Keokuk ; Wood, of Clay ; Wood, of Story ; Wright, of Van Buren ; and Mr Speaker—Total, 45.

The nays were—

Messrs. Ainsworth, Ballinger, Clark, of Benton ; Clarke, of Iowa ; Hilton, McClure, Merrell, Newbold, Reuther, Rohlf, Schweer, Skillin, Stewart, and Stow—Total, 14.

Absent or excused—

Messrs. Appleton, Beatty, of Cedar ; Bliss, Bonewitz, Butler, Cadwell, Campbell, Christoph, Davisson, Draper, Dumont, Durham, Ellsworth, Ericson, Flenniken, Freeman, Gear, Goodspeed, Green, Hanan, Heberling, Johnston, Keables, Litzenberg, Miller, Mills, Morrison, Paul, Peet, Perkins, Reed, Secor, Struthers, Teale, Tufts, Tuttle, Van Deventer, Van Saun, Whitten, Wilson, of Washington ; and Wright, of Mills—Total, 41.

So the bill failed to pass the House for the want of a constitutional majority.

Mr. Van Meter moved to reconsider the vote by which H. F. No 291 was lost, the consideration of which was postponed until April third.

Mr. Newbold moved to reconsider the vote by which S. F. No. 127 was lost, the consideration of which was postponed until Wednesday, April third.

Mr. Close moved that H. F. Nos. 264 and 265 be called up and referred to Committee on Ways and Means.

The motion prevailed.

PETITIONS.

Hr. Blackman presented petitions from citizens of Mitchell county asking for a change in the present form of county government. Referred to Committee on County and Township Organizations.

REPORTS OF COMMITTEES.

Mr. Williams, from the Committee on Judiciary, submitted the following report :

MR. SPEAKER :—Your Committee on Judiciary, to whom was referred H. F. No. 152, A bill for an act to amend section 3782 of the Revision of 1860, in relation to the vacation and modification of injunctions, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

J. L. WILLIAMS, *member of Committee.*

Mr. Beresheim, from the Committee on the Asylum for the Deaf and Dumb, submitted the following report :

MR. SPEAKER :—Your Committee on the Asylum for the Deaf and Dumb, to whom was referred H. F. No. 389, A bill for an act making further appropriations for the Asylum for the Deaf and Dumb, and for the maintenance of the institution, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, H. F. No. 348, A bill for an act to provide for information concerning the deaf and dumb, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

BERESHEIM, *Chairman pro tem.*

Mr. Olcese, from the Committee on Agriculture, submitted the following report :

MR. SPEAKER :—Your Committee on Agriculture, to whom was referred H. F. No. 149, A bill for an act requiring the cultivators or growers of hedges to trim the same, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with substitute therefor, and recommend that substitute do pass.

CLOSE, *Chairman.*

Mr. Lee, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER:—The Committee on Engrossed Bills ask leave to report that they have examined the following bills, and find the same correctly engrossed:

H. F. No. 66, A bill for an act making persons selling or giving away intoxicating liquors responsible for loss or damage occasioned by the use of the same.

H. F. No. 277, A bill for an act to provide for an allowance to the chief justice of the supreme court for clerk hire.

H. F. No. 62, A bill for an act for the encouragement of horticulture and forestry.

JOHN M. LEE, *of Committee.*

#### INTRODUCTION OF BILLS.

Mr. Duncombe introduced H. F. No. 400, A bill for an act to allow district and circuit judges to interchange and hold each others courts.

Read a first and second time, and referred to Committee on Judiciary.

Mr. Hall introduced H. F. No. 401, A bill for an act authorizing the appointment of short-hand reporters in district and circuit courts.

Read a first and second time, and referred to Committee on Judiciary.

#### MESSAGES ON THE SPEAKER'S TABLE.

S. F. No. 202, A bill for an act for the better prevention of abortion.

Read a first and second time, and referred to Committee on Medical Institutions.

S. F. No. 149, A bill for an act to empower the board of trustees of the Agricultural College to grant diplomas to students therein.

Read a first and second time, and referred to Committee on Agricultural College.

#### BILLS ON SECOND READING.

H. F. No. 222, A bill for an act to amend section 2, chapter 100, of the laws of the Twelfth General Assembly, in relation to the road law, was taken up and ordered engrossed for a third reading.

H. F. No. 148, A bill for an act to amend chapter 95, acts of the Twelfth General Assembly, &c., was taken up and considered.

Mr. Ainsworth moved that the bill be indefinitely postponed.

The motion did not prevail.

Mr. Hilton moved to amend by substituting sections one and two as follows:

The action of the township trustees in furnishing temporary or permanent relief, or medical treatment, to the poor in their respective townships, shall be subject to the approval of the board of supervisors.

2. All acts and parts of acts inconsistent with this act are hereby repealed.

The amendment was not adopted.

Mr. Stedman moved to re-commit the bill to the committee with instructions.

The hour of 12 m. having arrived, the Speaker declared the House adjourned until 2 o'clock p. m.

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Two o'clock, P. M.

House called to order by the Speaker.

The House resumed the consideration of H. F. No. 148.

The question recurring on the motion to re-commit, the motion did not prevail.

#### BILLS ON THIRD READING.

The hour having arrived for the consideration of bills on third reading, Mr. Pratt moved that the order be dispensed with.

Mr. Irish moved that the bill be postponed, and that it be made a special order for next Thursday, April 4th, at 2 o'clock p. m.

The motion prevailed.

S. F. No. 28, A bill for an act to prevent frequent changes in school books, was taken up and considered.

The amendment recommended by the committee was adopted.

The bill was ordered to a third reading.

H. F. No. 217, A bill for an act to enable and promote manufactures, &c., was taken up and considered.

Mr. Blakely moved to amend by inserting after the word "manufactory" the words "and farming."

Mr. Rule moved that the bill be postponed until next Friday.

The motion did not prevail.

The amendment did not prevail.

The question recurring on the substitute reported by the committee, Mr. Keables moved to amend by striking out of the first section the word "real."

The amendment was adopted.

Mr. Keables moved to amend the first section by inserting after the word "continued," the word "exclusively."

The motion prevailed.

Mr. Wood, of Clay, moved to amend by adding to the list "manufacturing flax seed oil."

The amendment was adopted.

Mr. Irish moved to reconsider the vote by which the amendment adding flax seed oil to the list was adopted.

The motion was lost.

Mr. Hilton moved to amend by adding to the list "capital invested in railroads."

The motion did not prevail.

Mr. Irish moved to amend by adding to the list "manufacturers of plows."

The motion did not prevail.

Mr. Beresheim moved to amend section one, by striking out the word "personal."

The motion prevailed.

Mr. Irish moved to amend the first section by striking out the word "property."

The motion did not prevail.

Mr. O'Donnell moved to reconsider the vote by which the word "property" was stricken out.

Mr. Hall moved to lay the motion on the table.

The motion prevailed.

Mr. Keables moved to postpone until next Friday at ten o'clock, A. M.

The motion did not prevail.

Mr. Pratt moved to insert after the word "any" the word "machinery."

The motion prevailed.

The substitute was not adopted.

Mr. Hopkirk moved to indefinitely postpone.

Mr. Irish moved to amend by inserting after the word "beet" the words "and sorgham."

The motion did not prevail.

The motion to indefinitely postpone prevailed.

Leave of absence was granted to Messrs. Merrell and Blake.

H. F. No. 257, A bill for an act to devote the public square in Algona to court house purposes, was taken up and ordered engrossed for a third reading.

S. F. No. 48, A bill for an act in relation to public libraries, was taken up and considered.

Mr. Ainsworth moved that the bill be passed upon the files and printed, with the amendments thereto.

## REPORTS OF COMMITTEES.

Mr. Lee, from Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER:—The Committee on Engrossed Bills ask leave to report that they have examined the following bills, and find the same correctly engrossed:

H. F. No. 302, A bill for an act entitled an act to amend section 498, of the Revision of 1860, in relation to special elections.

Also, H. F. No. 336, A bill for an act declaring the continuation of the incorporation of the town of Richland, and legalizing the election of the officers thereof.

Also, H. F. No. 208, A bill for an act to restore territory set off for school purposes.

Also, H. F. No. 148, A bill for an act to amend sections 1975 and 1984, of the Revision of 1860, in relation to school funds.

JOHN M. LEE, *for Committee.*

H. F. No. 105, A bill for an act to tax vendors of patent rights, &c., was taken up and on motion of Mr. Leahy was postponed till to-morrow morning.

H. F. No. 27, A bill for an act limiting the time in which the legality of the organization of cities or incorporated towns, or other civil or municipal corporations, can be questioned by suit or otherwise, was taken up and considered with the substitute.

Mr. Dancombe moved to amend the substitute as follows:

“That the legality of the organization of any city or incorporate town, or other civil or municipal corporation, shall not be questioned in any action or proceeding after such corporation has been in operation five years, when such corporation has been continuously as such from the time of its commencement, *Provided*, that no corporation now existing shall be affected by this section until one year after this act shall take effect.

The amendment was not adopted for the want of a quorum.

Mr. Pratt moved that the House adjourn.

The motion prevailed, and the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, April 2, 1872. }

House convened pursuant to adjournment.

The Speaker in the chair.

Prayer by Rev. C. C. Maybee.

Journal of yesterday was read and approved.



## MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bills, in which the concurrence of the House is asked:

S. F. No. 106, A bill for an act to amend section 1329 of the Revision of 1860, so as to require the construction of a cattle-guard and fence to connect therewith on each side of cause-ways or crossings made for persons owning lands on both sides of any railroad.

S. F. No. 130, A bill for an act to regulate city indebtedness, and providing for the payment thereof.

I am also directed to inform your honorable body that the Senate has passed, without amendment, the following bill:

H. F. No. 108, A bill for an act to legalize the organization of the township of Center, in O'Brien county, Iowa.

J. A. T. HULL, *Secretary*.

## UNFINISHED BUSINESS.

The question recurring on the consideration of H. F. No. 27, the bill with the amendment pending, was taken up and considered.

Mr. O'Donnell moved to reconsider the vote by which H. F. No. 136, An act to repeal sections 4149 and 4152, Revision of 1860, was lost on yesterday.

The motion prevailed.

The question recurring on the passage of the bill, the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Beatty, of Jasper; Beresheim, Bergh, Blackman, Bliss, Caldwell, Cardell, Clark, of Benton; Davis, Day, Dayton, Draper, Dumont, Duncombe, Ericson, Evans, Gear, Green, Hall, Hewett, Irish, Johnston, Kasson, Keables, Litzenberg, Maxwell, McClure, Merrell, Mills, Newbold, O'Donnell, Peet, Pratt, Reuther, Rohls, Rule, Sandry, Schweer, Stedman, Stewart, Stow, Tuttle, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Van Buren; and Mr. Speaker—Total, 51.

The nays were—

Messrs. Blakely, Bonewitz, Booth, Butler, Cadwell, Clarke, of Iowa; Close, Crawford, Danforth, Duncan, Durham, Hanson, Hilton, Hopkirk, Leahy, Lee, McAllister, McCoy, Rice, Skillin, Tasker, Tufts, and Van Meter—Total, 23.

Messrs. Appleton, Ballinger, Beatty, of Cedar; Blake, Campbell, Carver, Christoph, Davisson, Ellsworth, Flenniken, Freeman, Goodspeed, Hanan, Heberling, Hovey, Miller, Morrison,

Paul, Perkins, Reed, Secor, Struthers, Teale, Van Deventer, Van Sann, and Wright, of Mills—Total, 26.

So the bill passed and the title was agreed to.

#### REPORTS OF COMMITTEES.

Mr. Bergh, from Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bill, viz:

S. F. No. 207, An act to provide for the payment of the per diem and expenses of the Commissioners appointed under chapter 8 of the acts of the Fourteenth General Assembly thereof.

KNUT E. BERGH, *Chairman pro tem.*

Mr. Bergh, from Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills ask leave to report that they have examined the following bill, and find the same correctly enrolled:

H. F. No. 237, A bill for an act to legalize the donation of the swamp land and swamp land funds of Hamilton county, Iowa, to the Des Moines, Boone & Northwestern Railway Company, and the Iowa, Minnesota & North Pacific Railway Company.

H. F. No. 204, A bill for an act to amend section eight hundred and thirty-five (835) of the Revision of 1860, so as to authorize road commissioners to swear their assistants.

H. F. No. 101. A bill for an act prohibiting clerks and deputy clerks of district and circuit courts practicing as attorneys or solicitors in said courts, and to prohibit their holding the office of justice of the peace.

H. F. No. 78, A bill for an act relating to taxes levied for bridge purposes.

KNUT E. BERGH, *Chairman pro tem.*

By leave, Mr. Maxwell introduced H. F. No. 402, A bill for an act to legalize certain acts of E. C. Mount as auditor of Guthrie county, Iowa.

The bill was read a first and second time.

Mr. Maxwell moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Beatty, of Jasper; Beresheim, Bergh, Blackman, Blakely, Bonewitz, Butler, Cadwell, Caldwell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ericson, Evans, Gear, Green, Hall, Hanson, Hewett, Hilton, Hopkirk, Irish, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Mills, Newbold, O'Donnell, Peet, Pratt, Renther, Rice, Rohlf, Rule, Sandry, Schweer, Skillin, Stedman, Stewart, Stow, Tasker, Tufts, Van Meter, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Van Buren; and Mr. Speaker—Total, 72.

The nays were none.

Absent or excused—

Messrs. Appleton, Ballinger, Beatty, of Cedar; Blake, Bliss, Booth, Campbell, Christoph, Davisson, Ellsworth, Flenniken, Freeman, Goodspeed, Hanan, Heberling, Hovey, Miller, Morrison, Paul, Perkins, Reed, Secor, Struthers, Teale, Tuttle, Van Deventer, Van Saun, and Wright, of Mills—Total, 28.

So the bill passed, and the title was agreed to.

Leave of absence was granted to Mr. Blake.

By leave, Mr. Blakely called up H. F. No. 386, A bill for an act to legalize the organization of the independent school district of West Grove, in Davis county, Iowa.

Mr. Blakely moved that the rule be suspended, that the bill be considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ballinger, Beatty of Jasper; Bergh, Blackman, Blakely, Bonewitz, Butler, Cadwell, Caldwell, Campbell, Cardell, Close, Crawford, Davis, Davisson, Day, Dayton, Draper, Dumont, Duncombe, Durham, Ericson, Evans, Gear, Hall, Hanson, Hewett, Hilton, Hopkirk, Irish, Johnston, Kasson, Keables, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Mills, O'Donnell, Peet, Pratt, Rice, Rohlf, Rule, Sandry, Schweer, Skillin, Stedman, Stewart, Stow, Tasker, Van Meter, Whitten, Wilson, of Keokuk; Wilson, of Washington; Wright, of Van Buren; and Mr. Speaker—Total, 58.

The nays were—

Messrs. Ainsworth, Bliss, Clark, of Benton; Clarke, of Iowa; Danforth, Duncan, Green, Leahy, Lee, Newbold, Renther, Stow, Tufts, Williams, Wood, of Clay; and Wood, of Story—Total, 16.

Absent or excused—

Messrs. Appleton, Beatty, of Cedar; Beresheim, Blake, Booth,

Carver, Christoph, Ellsworth, Flenniken, Freeman, Goodspeed, Hanan, Heberling, Hovey, Miller, Morrison, Paul, Perkins, Reed, Secor, Struthers, Teale, Tuttle, Van Deventer, Van Saun, and Wright of Mills—Total, 26.

So the bill passed and the title was agreed to.

By leave, Mr. Wood of Clay introduced H. F. No. 403, A bill for an act to legalize the official acts of John L. Robinson, as justice of the peace of Holman township, Osceola county, Iowa.

Read a first and second time and passed on file.

By leave, Mr. Irish introduced H. F. No. 404, A bill for an act to confer upon women the right to vote for Presidential electors.

Read a first and second time and passed on file.

Also, H. F. No. 405, A bill for an act to submit the question of a license law to the people at the next general election.

Read a first and second time, and referred to Committee on Judiciary.

Mr. Close, by leave, introduced H. F. No. 406, A bill for an act to amend section 2, chapter 115, of the laws of the Tenth General Assembly, in relation to publishing tax lists.

Read a first and second time, and referred to Committee on County and Township Organizations.

By leave, Mr. Reuther offered the following resolution :

In consideration of the necessity of this House being in session every day until its adjournment, with a full number of its members in attendance, and for the speedy performance and finishing up of the work devolving upon it,

*Be it hereby Resolved*, That after the 2d day of April, 1872, no member shall be excused from duty in this House unless he be sick, or can give other good and sufficient reason why he should be so excused.

Mr. Ainsworth moved that the resolution be referred to Committee on Rules.

The motion prevailed.

By leave, Mr. Cadwell presented the petition of citizens of Missouri Valley asking for the legalization of an over issue of school bonds by said town.

Referred to Committee on Judiciary.

By leave, Mr. Irish offered the following resolution :

*Resolved*, That it is the sense of this House that the capitol commission shall consist of the Governor, *ex-officio*, and four members elected by the Legislature.

Mr. Hopkirk moved to strike out "four" commissioners, and insert "three" commissioners.

Mr. Peet moved to amend the amendment by striking out "three" and inserting "two."

The amendment to the amendment did not prevail.

The amendment was not adopted.

Mr. Hilton moved to strike out "Governor and four commissioners," and insert "three commissioners, to be appointed by the Governor after the adjournment of the Legislature."

The motion did not prevail.

Mr. Hopkirk moved to strike out "four" commissioners and insert "one."

The motion did not prevail.

The resolution was adopted.

Mr. Butler moved that the order of unfinished business, the consideration of H. F. No. 27, be postponed, and that the special order, H. F. No. 265, be taken up.

The motion prevailed.

H. F. No. 265, A bill for an act to amend an act to provide a State Capitol, approved April 13th, 1870, and making an appropriation therefor, was taken up and considered.

The amendment pending did not prevail.

Mr. Kasson moved to strike out "three," in the 4th line, and insert "four."

The motion prevailed.

The question recurring on the adoption of the second amendment, which is to strike out the words "and fifty" in the second line of the second section, Mr. Butler moved to amend the amendment by inserting "\$125,000" in lieu of "\$150,000."

The motion did not prevail.

Mr. Keables moved to amend the amendment by striking out "\$150,000 to be paid annually," and inserting "\$100,000 for the year 1872, and \$125,000 to be paid annually thereafter."

The amendment to the amendment was adopted.

Mr. Campbell moved to strike out section 2 of the bill.

Mr. Irish moved to postpone the further consideration of the bill till 2:30 o'clock, P. M.

The hour of 12 having arrived, the Speaker declared the House adjourned until 2 o'clock, P. M.

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TWO O'CLOCK, P. M.

House called to order by the Speaker.

The question recurring on the motion to postpone to 2:30, P. M. Mr. Irish moved to amend the motion by making it 10 o'clock A. M., to-morrow.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body

that the Senate has passed the following bill, without amendment:

H. F. No. 41, A bill for an act to enable cooperative and mutual loan associations to raise funds to be loaned among their members for building homesteads, and for other purposes, to become a body corporate.

Also, Substitute for H. F. No. 17, A bill for an act to amend chapter 8 of the laws of the Thirteenth General Assembly, relating to independent school districts, with the following amendment:

Strike out of the second section of the bill, in which the concurrence of the House is asked.

J. A. T. HULL, *Secretary*.

The amendment to the amendment was adopted.

The motion to postpone prevailed.

The hour having arrived for the consideration of the special order, S. F. No. 201, A bill for an act to encourage and promote immigration to the State of Iowa, Mr. Rohlf's moved to take up the special order.

The motion prevailed, and the bill was taken up and considered.

Mr. Beresheim offered the following amendment:

"*Provided*, that no money appropriated by this act shall be paid as a salary to any agent who may receive a commission as agent from the Board of Immigration."

Mr. Rohlf's moved to amend the amendment by excepting agents in the United States.

The amendment to the amendment did not prevail.

The amendment was adopted.

Mr. Duncan moved to strike out "ten thousand" and insert "five thousand."

Mr. Campbell moved to amend the amendment by striking out "five thousand" and inserting "seven thousand five hundred dollars."

The amendment to the amendment was not adopted.

The amendment did not prevail.

Mr. Rohlf's moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Ballinger, Beresheim, Bergh, Blackman, Blakely, Bliss, Bonewitz, Booth, Butler, Cadwell, Caldwell, Cardell, Carver, Clark, of Benton; Danforth, Davis, Davisson, Dayton, Durham, Ericson, Gear, Green, Hall, Hewett, Hilton, Irish, Kasson, Keables, Leahy, McClure, Merrell, Mills, Newbold, Paul, Peet, Perkins, Pratt, Reuther, Rohlf's, Rule, Sandry, Schweer,

Skillin, Stedman, Stow, Tasker, Tuttle, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; and Mr. Speaker—Total 54.

The nays were—

Messrs. Beatty, of Jasper; Campbell, Clarke, of Iowa; Close, Crawford, Day, Duncan, Ellsworth, Evans, Hanson, Hopkirk, Johnston, Lee, McCoy, Rice, Stewart, Tufts, Van Meter, and Wright, of Van Buren—Total, 19.

Absent or excused—

Messrs. Appleton, Beatty, of Cedar; Blake, Christoph, Draper, Dumont, Duncombe, Flenniken, Freeman, Goodspeed, Hanan, Heberling, Hovey, Litzenberg, Maxwell, McAllister, Miller, Morrison, O'Donnell, Reed, Secor, Struthers, Teale, Van Deventer, Van Saun, Whitten, and Wright, of Mills—Total, 27.

So the bill passed and the title was agreed to.

Mr. Bergh, from Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER:—The Committee on Enrolled Bills ask leave to report that they have examined the following bills, and find the same correctly enrolled :

S. F. No. 32, A bill for an act authorizing municipal corporations to levy poll tax.

Also, S. F. No. 184, A bill for an act concerning acknowledgments of deeds and other instruments in writing executed in foreign countries.

Also, S. F. No. 110, A bill for an act to legalize the levy of certain taxes in the townships of Monroe and Jefferson, in the county of Johnson, in the State of Iowa.

Also, S. F. No. 171, A bill for an act to regulate the intersection of railroad tracks near the Mississippi river.

Also, S. F. No. 50, A bill for an act to enlarge the Iowa Institution for the education of the blind, and to change the name of the same, and for the improvement of the grounds, the purchase of musical instruments, and a printing press for the use of the blind.

Also, S. F. No. 271, A bill for an act to legalize the acts of Geo. E. Maxwell, as recorder of the incorporated town of Tama City, Tama county, Iowa.

KNUT E. BERGH, *Chairman pro tem.*

By leave, Mr. Davis called up H. F. No. 86, A bill to amend chapter 61 of the Revision of 1860, in relation to fences.

The bill was taken up and considered.

The first and third amendments recommended by the Committee were adopted.

The second amendment recommended by the Committee was not adopted.

The bill was ordered engrossed for a third reading.



## REPORTS OF COMMITTEES.

Mr. Close, from the Committee on Agriculture, submitted the following report :

MR. SPEAKER :—Your Committee on Agriculture, to whom was referred H. F. No. 367, A bill for an act to amend section 8, chapter 26, of the laws of the Thirteenth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with substitute therefor, and recommend that substitute do pass.

CLOSE, *Chairman.*

Mr. Beresheim, from the Committee on New Counties, submitted the following report:

MR. SPEAKER :—Your Committee on New Counties, to whom was re-referred substitute for H. F. No. 59, A bill for an act providing for the establishment of temporary county seats in newly organized counties, and in relation to the location of permanent county seats in such counties, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, H. F. No. 224, A bill for an act to provide for the organization of the county of Belknap, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the annexed amendments, and if so amended recommend its passage.

JOHN BERESHEIM, *Chairman.*

Mr. Wood, of Clay, from Committee on Insurance, submitted the following report :

MR. SPEAKER :—Your Committee on Insurance, to whom was referred H. F. No. 375, A bill for an act to protect holders of policies of life insurance, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the substitute herewith submitted, with the recommendation that the substitute do pass.

WOOD, OF CLAY, *Chairman.*

Mr. Williams, from Committee on Penitentiary, submitted the following report:

MR. SPEAKER :—Your Committee on State Penitentiary, to whom was referred Resolution No. 16, in relation to the practice of the warden of the State Penitentiary in hiring prisoners to work

outside the walls of said penitentiary, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

J. L. WILLIAMS, *Member of Committee.*

Mr. Hewett, from Committee on Agricultural College, submitted the following report:

MR. SPEAKER:—Your Committee on Agricultural College, to whom was referred S. F. No. 147, A bill for an act to empower the board of trustees of the Agricultural College to grant diplomas to the students therein, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

S. B. HEWETT, *Chairman.*

The Speaker submitted a report from the Secretary of State in regard to the amount of orders drawn for clerk hire, &c., which was passed on file.

Mr. Ballinger moved that the resolution in regard to the State Penitentiary be now taken up.

The motion prevailed, and the resolution was considered.

On the adoption of the resolution, the yeas and nays were demanded, which were as follows :

The yeas were —

Messrs. Ainsworth, Ballinger, Bergh, Blakely, Booth, Cadwell, Caldwell, Campbell, Cardell, Clark, of Benton; Crawford, Danforth, Day, Dayton, Draper, Dumont, Duncan, Gear, Hewett, Hilton, Irish, Johnston, Keables, Lee, McAllister, Merrell, Mills, O'Donnell, Paul, Perkins, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Skillin, Stedman, Stewart, Stow, Tufts, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay—Total, 45.

The nays were—

Messrs. Beatty, of Jasper; Bliss, Bonewitz, Butler, Carver, Clarke, of Iowa; Close, Davis, Davisson, Durham, Ellsworth, Green, Hanson, Hopkirk, Leahy, Litzenberg, McClure, McCoy, Newbold, Peet, Van Meter, Wood, of Story; Wright, of Van Buren; and Mr. Speaker—Total, 24.

Absent or excused—

Messrs. Appleton, Beatty, of Cedar; Beresheim, Blackman, Blake, Christoph, Duncombe, Ericson, Evans, Flenniken, Freeman, Goodspeed, Hall, Hanan, Heberling, Hovey, Kasson, Maxwell, Miller, Morrison, Pratt, Reed, Secor, Struthers, Tasker, Teale, Tuttle, Van Deventer, Van Saun, Whitten, and Wright, of Mills—Total, 31.

So the resolution was adopted.

By leave, Mr. Leahy called up H. F. No. 345, which was taken up.

Leave was granted to Mr. O'Donnell and Mr. Litzenberg to have their votes recorded "yea" on the passage of the immigration appropriation bill.

On motion of Mr. Mills, the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, April 3, 1872. }

House convened pursuant to adjournment.

The Speaker in the chair.

Prayer by Rev. Morgan.

The journal of yesterday was read and approved.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following resolution, in which the concurrence of the House is asked :

*Resolved by the Senate, the House concurring,* That the compensation of the Postmaster, Assistant Postmaster, and mail carrier of the Fourteenth General Assembly be seven dollars per day each during the session.

J. A. T. HULL, *Secretary.*

The Speaker presented a communication from the Governor submitting the report of Hon. J. N. Dewey, Commissioner on the part of the State to settle and adjust certain war claims against the government, which was passed on file, and ordered printed.

Mr. Newbold moved to call up the communication from the Secretary of State in relation to warrants issued for clerk hire, &c., and to refer the same to the Committee on Ways and Means.

The motion prevailed.

The Speaker announced the business before the House the consideration of H. F. No. 27.

By leave, Mr. Goodspeed called up H. F. No. 333, which was made the special order for April 5, at 9:30 A. M.

Mr. Lee moved to call up H. F. No. 330, A bill for an act to amend article 7, chapter 22, Revision of 1860.

The motion prevailed.

Mr. Teale moved that the rule be suspended, that the bill be considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Jasper; Blackman, Bliss, Bonewitz, Booth, Butler, Cadwell, Cardell, Clark, of Benton; Clarke, of Iowa; Close, Danforth, Dayton, Dumont, Duncombe, Ericson, Freeman, Gear, Goodspeed, Green, Hanson, Hewett, Johnston, Kasson, Leahy, Litzenberg, Maxwell, McAllister, McClure, Merrell, Mills, Newbold, Peet, Pratt, Reuther, Rohlf, Rule, Sandry, Skillin, Stedman, Tasker, Teale, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; and Mr. Speaker—Total, 52.

The nays were—

Messrs. Beresheim, Blakely, Caldwell, Campbell, Crawford, Davis, Davisson, Day, Draper, Duncan, Durham, Ellsworth, Evans, Hall, Hilton, Hopkirk, Irish, Keables, Lee, McCoy, Miller, O'Donnell, Paul, Perkins, Rice, Schweer, Stewart, Stow, Tufts, Van Meter, and Wright, of Van Buren—Total, 31.

Absent or excused—

Messrs. Ballinger, Beatty, of Cedar; Bergh, Blake, Carver, Christoph, Flenniken, Hanan, Heberling, Hovey, Morrison, Reed, Secor, Struthers, Tuttle, Van Deventer, and Van Saun—Total, 17.

So the bill passed and the title was agreed to.

#### UNFINISHED BUSINESS.

H. F. No. 27, A bill for an act limiting the time in which municipal and public corporations may set up want of legal incorporation in defense of actions, was taken up, the question recurring on the amendment offered by Mr. Duncombe.

The hour having arrived for the consideration of the special order, H. F. No. 265, A bill for an act to amend an act to provide for a State Capitol, &c., on motion of Mr. Kasson, the bill was taken up and considered.

Leave was granted to Mr. Campbell to withdraw his amendment.

Mr. Kasson moved to amend by striking out all after the word "Board," in the fourth line, all of the fifth line and all of the sixth line, and inserting the words "John G. Foote, of Des Moines county, Maturin L. Fisher, of Clayton county, Robert S. Finkbine, and Peter A. Dey, of Johnson county."

The amendment was adopted.

Mr. Ainsworth moved to amend by adding a new section, as follows:

Section 2. It shall be the duty of the Commissioners appointed by this act to procure and adopt plans and specifications for a new capitol building, which when entirely completed, shall not exceed in cost \$750,000, and in constructing the same they shall use all

suitable material now in the walls of the capitol upon the present plans.

Mr. Gear moved to amend the amendment by striking out "\$750,000" and inserting "\$1,000,000."

The motion did not prevail.

Mr. Blakely moved to amend the amendment by inserting "all material on hand."

The motion did not prevail.

On the adoption of the amendment, Mr. Ainsworth demanded the yeas and nays, which were as follows :

The yeas were—

Messrs. Ainsworth, Blackman, Blakely, Bliss, Campbell, Danforth, Dayton, Hilton, Merrell, Peet, Pratt, Reuther, Sandry, Schweer, Skillin, Stewart, and Stow—Total, 17.

The nays were—

Messrs. Appleton, Ballinger, Beatty of Jasper; Beresheim, Bergh, Bonewitz, Booth, Butler, Cadwell, Caldwell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa Close, Crawford, Davis, Davisson, Day, Draper, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Hewett, Hopkirk, Irish, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, McCoy, Miller, Mills, Newbold, O'Donnell, Paul, Perkins, Rice, Rohlf, Rule, Stedman, Tasker, Teale, Tufts, Tuttle, Van Meter, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood of Clay; Wood, of Story; Wright of Mills; Wright of Van Buren; and Mr. Speaker—Total, 69.

Absent or excused—

Messrs. Beatty of Cedar; Blake, Christoph, Dumont, Flenniken, Hanan, Heberling, Hovey, Morrison, Reed, Secor, Struthers, Van Deventer, and Van Saun—Total, 14.

So the amendment was not adopted.

Mr. Duncombe moved to amend as follows :

It shall be the duty of the Commissioners appointed by this act to procure and adopt plans or specifications for a capitol building, which when entirely completed shall not exceed in cost \$1,200,000 and in the constructing the same they shall use all suitable materials used in the walls of the capitol upon the present plans. *Provided*, the Commissioners shall find that the building upon the present plans will cost more than \$1,500,000, including all expenses connected therewith.

On the adoption of the amendment, the yeas and nays were demanded, which were as follows:

The yeas were—

Messrs. Ainsworth, Ballinger, Bergh, Blackman, Blakely, Bliss, Bonewitz, Campbell, Carver, Danforth, Davisson, Day, Dayton, Dumont, Duncombe, Ellsworth, Hilton, Keables, McAllister, Merrell, Peet, Pratt, Reuther, Rule, Sandry, Schweer, Skillin,

Stewart, Stow, Williams, and Wood, of Clay—Total, 31.

The nays were—

Messrs. Appleton, Beatty, of Jasper; Beresheim, Booth, Butler, Cadwell, Caldwell, Cardell, Clark, of Benton; Clarke, of Iowa; Close, Crawlford, Davis, Draper, Duncan, Durham, Ericson, Evans, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Hewett, Hopkirk, Irish, Johnston, Kasson, Leahy, Lee, Litzenberg, Maxwell, McClure, McCoy, Miller, Mills, Newbold, O'Donnell, Paul, Perkins, Rice, Roblis, Tasker, Teale, Tufts, Tuttle, Van Meter, Whitten, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 55.

Absent or excused—

Messrs. Beatty, of Cedar; Blake, Christoph, Flenniken, Hanan, Heberling, Hovey, Morrison, Reed, Secor, Stedman, Struthers, Van Deventer, and Van Sann—Total, 14.

So the amendment was not adopted.

Mr. Campbell offered the following amendment:

That said Commissioners are authorized to let the construction of the capitol building to the lowest responsible bidder, taking sufficient security to protect the State. They shall advertise for proposals for said construction in two newspapers published in the State of Iowa, and two in each of the cities of Chicago, Philadelphia, New York and Boston.

The security taken shall be approved by the commissioners, and also by the census board, and shall fully provide for the completion at as early a day as the safety of the structure will permit, of the building according to the plans adopted by the commissioners, including the dome, at a cost not exceeding one million, five hundred thousand dollars, inclusive of the amount already expended, to be paid in proper proportions as the work advances, not exceeding one hundred and fifty thousand dollars per annum.

The hour of 12 M. having arrived, the Speaker declared the House adjourned until 2 o'clock P. M.

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TWO O'CLOCK, P. M.

The Speaker called the House to order.

The question recurring on the amendment offered by Mr. Campbell.

Mr. Davisson moved to amend the amendment by striking out the words "including the amount heretofore appropriated."

The motion did not prevail.

Mr. Ellsworth moved to amend by striking out "\$150,000," and inserting "\$200,000."

The motion did not prevail.

On the adoption of the amendment, Mr. Campbell demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Ainsworth, Ballinger, Blackman, Blakely, Bliss, Bonewitz, Campbell, Clarke, of Iowa; Close, Danforth, Davisson, Draper, Dumont, Duncombe, Hilton, Hopkirk, Peet, Reuther, Rule, Sandry, Schweer, Skillin, Stewart, Stow, Williams, Wilson, of Keokuk; and Wilson, of Washington—Total, 27.

The nays were—

Messrs. Appleton, Beatty, of Jasper; Beresheim, Bergh, Booth, Butler, Cadwell, Caldwell, Cardell, Carver, Clark, of Benton; Crawford, Davis, Day, Draper, Duncan, Durham, Evans, Freeman, Gear, Goodspeed, Green, Hanson, Hewett, Irish, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, McAllister, McClure, Miller, Mills, Newbold, Paul, Perkins, Pratt, Rice, Stedman, Tasker, Tufts, Van Meter, Whitten, Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 50.

Absent or excused—

Messrs. Beatty, of Cedar; Blake, Christoph, Ellsworth, Ericson, Flenniken, Hall, Hanan, Heberling, Hovey, Maxwell, McCoy, Merrell, Morrison, O'Donnell, Reed, Rohlf, Secor, Struthers, Teale, Tuttle, Van Deventer, and Van Saun—Total, 23.

So the amendment did not prevail.

Mr. Duncombe offered the following amendment:

And in case the commissioners find that the capitol building, including all expenses connected therewith, cannot be constructed for one million five hundred thousand dollars, they shall so change the present plan as to reduce the expense to that amount.

Upon the adoption of the amendment Mr. Duncombe and Mr. Blakely demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Ainsworth, Ballinger, Bergh, Blackman, Blakely, Bliss, Bonewitz, Campbell, Carver, Clarke, of Iowa; Danforth, Davisson, Day, Dayton, Dumont, Durham, Ellsworth, Goodspeed, Hilton, Hopkirk, Keables, McAllister, Merrell, O'Donnell, Peet, Perkins, Pratt, Reuther, Rule, Sandry, Schweer, Skillin, Stewart, Stow, Tufts, Van Meter, Williams, Wilson, of Washington; Wood, of Clay; Wright, of Mills; and Mr. Speaker—Total, 41.

The nays were—

Messrs. Appleton, Beatty, of Jasper; Beresheim, Booth, Butler, Cadwell, Caldwell, Cardell, Clark, of Benton; Close, Crawford, Davis, Draper, Duncan, Ericson, Evans, Freeman, Gear, Green, Hall, Hanson, Hewett, Irish, Johnston, Kasson, Leahy, Lee, Litzenberg, McClure, McCoy, Miller, Mills, Newbold, Paul, Rice, Rohlf, Stedman, Tasker, Whitten, Wilson, of Keokuk; Wood, of Story; and Wright, of Van Buren—Total, 42.



Absent or excused—

Messrs. Beatty, of Cedar; Blake, Christoph, Duncombe, Flenniken, Hanan, Heberling, Hovey, Maxwell, Morrison, Reed, Secor, Struthers, Teale, Tuttle, Van Deventer, and Van Saun—Total, 27.

So the motion to amend did not prevail.

Mr. Durham moved to amend as follows :

Section 3. It shall be the duty of said board of commissioners upon entering upon their duties to examine the plan and estimates of the architects, and adopt if necessary any modifications in the plans which shall secure the completion of said capitol for the sum specified in the act to which this is amendatory.

By leave, Mr. Durham withdrew his amendment.

Mr. Hall offered the following amendment:

“ And it shall be their duty to cause the present foundation and material on hand to be carefully and skillfully inspected and examined with regard to the quality of the material and the character of the work, and shall cause to be changed, rejected and removed any part thereof that in their judgment does not conform to a proper standard of material and workmanship; and the estimated value of such rejected portions shall not be considered in determining the amount authorized to be expended in the construction of said building. Said commissioners shall make no contract or contracts by which in the aggregate the State shall be bound beyond the sum of one million three hundred and eighty thousand dollars, and shall direct all their actions with a view to the completion of the building for the sum of one million five hundred thousand dollars.

Mr. Hilton moved to amend the amendment by including the dome.

The motion did not prevail.

The question recurring on the first division of the amendment, Mr. Leahy moved to strike out the first paragraph of the section.

The motion did not prevail.

The first division of the amendment was not adopted.

Mr. Ainsworth moved to add to the second division of the amendment the following:

And should they be of the opinion that the building cannot be completed for that amount upon the present plan they shall modify the same.

On the adoption of the motion, Messrs. Ainsworth and Blackman demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Ainsworth, Ballinger, Bergh, Blackman, Blakely, Blise, Bonewitz, Cadwell, Campbell, Carver, Clarke, of Iowa; Danforth, Davisson, Dumont, Durham, Ellsworth, Hewett, Hilton, Hopkirk, Keables, McAllister, Merrell, O'Donnell, Peet, Pratt, Reuther, Rule, Sandry, Schweer, Skillin, Stewart, Stow, Tasker, Tufts, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wright, of Mills; and Mr. Speaker—Total, 40.

The nays were---

Messrs. Appleton, Beatty, of Jasper; Beresheim, Booth, Butler, Caldwell, Cardell, Clark, of Benton; Close, Crawford, Davis, Day, Draper, Duncan, Ericson, Evans, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Irish, Johnston, Kasson, Leahy, Lee, Litzenberg, Maxwell, McClure, McCoy, Miller, Mills, Newbold, Paul, Perkins, Rice, Rohlf, Stedman, Teale, Van Meter, Whitten, Wood, of Story; and Wright, of Van Buren---Total, 44.

Absent or excused---

Messrs. Beatty, of Cedar; Blake, Christoph, Dayton, Duncombe, Flenniken, Hanan, Heberling, Hovey, Morrison, Reed, Secor, Struthers, Tuttle, Van Deventer, and Van Saun---Total, 16.

So the motion to amend did not prevail.

Mr. Pratt moved to amend the amendment by adding to the second division of the amendment the following:

"And it shall be their duty to cause said building to be fully completed for said sum."

The motion did not prevail.

On the adoption of the second division of the amendment, the yeas and nays were as follows:

The yeas were---

Messrs. Beatty, of Cedar; Beresheim, Blakely, Butler, Caldwell, Caldwell, Campbell, Cardell, Clarke, of Iowa; Close, Crawford, Day, Draper, Duncan, Durham, Ellsworth, Ericson, Evans, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Hewett, Hopkirk, Irish, Johnston, Kasson, Leahy, Lee, Litzenberg, Maxwell, McClure, Miller, Mills, O'Donnell, Paul, Perkins, Rice, Rohlf, Stedman, Tasker, Teale, Tufts, Van Meter, Van Saun, Whitten, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story; Wright, of Mills; and Mr. Speaker---Total, 53.

The nays were---

Messrs. Ainsworth, Appleton, Ballinger, Bergh, Blackman, Bliss, Bonewitz, Booth, Clark, of Benton; Danforth, Davis, Davisson, Dumont, Hilton, Keables, McAllister, McCoy, Merrell, Newbold, Peet, Pratt, Renner, Rule, Sandry, Schweer, Skillin, Stewart, Stow, Williams, Wood, of Clay; and Wright of Van Buren---Total, 31.

Absent or excused---

Messrs. Beatty, of Jasper; Blake, Carver, Christoph, Dayton, Duncombe, Flenniken, Hanan, Heberling, Hovey, Morrison, Reed, Secor, Struthers, Tuttle, and Van Deventer---Total, 16.

So the motion to adopt the second division of the amendment prevailed.

Mr. Ainsworth moved to amend the amendment as follows:

"No money hereby appropriated shall be paid out until the Census Board shall certify to the Treasurer of the State that the resources of the treasury, without increasing the rate of taxation, are

sufficient to meet the proposed disbursement, after other appropriations are allowed."

Mr. Mills moved the previous question.

The previous question was not seconded.

On the adoption of the amendment the yeas and nays were demanded, which were as follows:

The yeas were—

Messrs. Ainsworth, Ballinger, Bergh, Blackman, Blakely, Bliss, Campbell, Carver, Clark, of Benton; Crawford, Danforth, Davisson; Day, Dayton, Dumont, Duncan, Durham, Ellsworth, Gear, Goodspeed, Hall, Hilton, Hopkirk, Keables, McAllister, Miller, Peet, Pratt, Renthner, Rule, Sandry, Schweer, Skillin, Stedman, Stewart, Stow, Teale, Tufts, Van Meter, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; and Wright, of Mills—Total, 45.

The nays were—

Messrs. Appleton, Beatty, of Jasper; Beresheim, Bonewitz, Booth, Butler, Cadwell, Caldwell, Cardell, Clarke, of Iowa; Close, Draper, Ericson, Evans, Freeman, Green, Hanson, Hewett, Irish, Johnston, Kasson, Leahy, Lee, Litzenberg, Maxwell, McClure, McCoy, Merrell, Mills, Newbold, O'Donnell, Paul, Perkins, Rice, Rohlf, Tasker, Tuttle, Van Saun, Whitten, Wright, of Van Buren; and Mr. Speaker—Total, 41.

Absent or excused—

Messrs. Beatty, of Cedar; Blake, Christoph, Davis, Flenniken, Hanan, Heberling, Hovey, Morrison, Reed, Secor, Struthers, Van Deventer, and Wood, of Story—Total, 14.

So the motion to amend prevailed.

The bill was ordered to be engrossed, and to be read a third time.

Mr. Hall moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Appleton, Beatty, of Jasper; Beresheim, Blakely, Booth, Butler, Cadwell, Caldwell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Day, Draper, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Hewett, Hopkirk, Irish, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, Maxwell, McClure, McCoy, Merrell, Miller, Mills, Newbold, O'Donnell, Paul, Perkins, Rice, Rohlf, Rule, Stedman, Tasker, Teale, Tufts, Tuttle, Van Meter, Van Saun, Whitten, Wilson, of Keokuk; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 63.

The nays were—

Messrs. Ainsworth, Ballinger, Bergh, Blackman, Bliss, Bonewitz, Campbell, Danforth, Davisson, Dayton, Dumont, Hilton, McAllister, Peet, Pratt, Renthner, Sandry, Schweer, Skillin, Stewart, Stow, Williams, Wilson, of Washington; and Wood, of Clay—Total, 24.

Absent or excused—

Messrs. Beatty, of Cedar; Blake, Christoph, Davis, Flenniken, Hanan, Heberling, Hovey, Morrison, Reed, Secor, Struthers, and Van Deventer—Total, 13.

So the bill passed and title was agreed to.

Mr. Leahy moved to take up the unfinished business of yesterday, H. F. No. 345, A bill for an act to make the law restraining stock from running at large general, &c.

The motion prevailed, and the bill was taken up and made the special order for to-morrow at 8 o'clock P. M.

Leave of absence was granted to Mr. Tuttle.

By leave, Mr. Dumont, from Committee on Senatorial and Representative Districts, submitted the following report:

MR. SPEAKER:—Your Committee on Senatorial and Representative Districts, to whom was referred H. F. No. 65, A bill for an act apportioning the State of Iowa into representative districts and declaring the ratio of representation, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the accompanying substitute with the recommendation that it do pass.

S. B. DUMONT, *Chairman*.

Mr. Stow, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred S. F. No. 46, A bill for an act creating the Thirteenth Judicial District, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass with the following amendments:

1st. By striking out of the first section all after the enacting clause, and inserting in lieu thereof the following: That the counties of Fremont, Mills, Audubon, Pottawattamie, Shelby, Crawford, Carroll, and Green shall constitute the Thirteenth Judicial District.

2d. By striking out the word "Fremont" in the first line of section two.

3d. By inserting "Webster, Calhoun, Sac, Lyon, and Osceola," before "Humboldt," in the first line of section three.

4th. By striking out section five.

5th. By striking out the words "in each of said circuits," in the seventh line of section six.

6th. Strike out "and," and insert the words "and eleventh," after the word "fifth" in the fourth line of section seven.

Also, strike out "and," in the fourteenth line of section seven, and insert the words "and eleventh" in the same line after the word "fifth."

N. A. STOW.

Mr. Bergh, from Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills, ask leave to report that they have examined the following bills, and find the same correctly enrolled :

H. F. No. 41, A bill for an act to enable cooperative and mutual loan associations to raise funds to be loaned among their members for building homesteads, and for other purposes, to become a body corporate.

Also, H. F. 108, A bill for an act to legalize the organization of the township of Center, in O'Brien county, Iowa.

KNUT E. BERGH, *Chairman.*

The Speaker announced the special order, Senate amendment to substitute for H. F. No. 12, A bill for an act to tax railroads, &c.

On motion of Mr. O'Donnell the special order was taken up.

Mr. Hopkirk moved that the House do not concur in the Senate amendment, and ask for a Committee of Conference.

The motion prevailed.

The Speaker announced as such committee Messrs. Hall, O'Donnell, and Tasker.

Mr. Johnston, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER:—The Committee on Engrossed Bills ask leave to report that they have examined the following bills, and find the same correctly engrossed :

H. F. No. 381, A bill for an act amending section 2823 of the Revision of 1860.

Also, H. F. No. 257, A bill for an act to devote the public square in Algona to court house purposes.

Also, H. F. No. 222, A bill for an act regulating the election of township trustees.

Also, H. F. No. 136, A bill for an act to repeal sections 4149 and 4152, of chapter 162, of the Revision of 1860.

JOHNSTON, *of Committee.*

By leave Mr. Tufts introduced H. F. No. 407, A bill for an act to legalize the acts of E. M. Blunk, County Auditor of Cedar county.

Read a first and second time, and passed on file.

Leave was granted to Mr. Close to introduce H. F. No. 408, A bill for an act to amend section 2, chapter 102, of the laws of the Ninth General Assembly.

Read a first and second time, and passed on file.

The hour for adjournment having arrived, the Speaker declared the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, April 4, 1872. }

House convened pursuant to adjournment.

The Speaker in the chair.

Prayer by Rev. T. O. Rice.

Journal of yesterday read and approved.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following bills and joint resolutions, in which the concurrence of the House is asked:

Substitute for S. F. No. 230, A bill for an act to amend section 1, chapter 6, of the acts of the 14th General Assembly, entitled an act authorizing the appropriation of money to build bridges.

Also, a joint resolution in relation to establishing a highway on the Agricultural College Farm.

Also, a joint resolution appointing Trustees for the Iowa College for the Blind.

Also, a concurrent resolution fixing the 16th of April as the day for final adjournment of the 14th General Assembly, in which the concurrence of the House is asked.

I am also directed to inform your honorable body that the Senate has concurred in House amendments to S. F. No. 201.

I am also directed to inform your honorable body that the Senate has passed the following bill:

Substitute for H. F. No. 279, A bill for an act to tax railroad property, regulating such taxation and releasing certain taxes herein named, with amendments as noted in the bill, in which amendments the concurrence of the House is respectfully asked.

J. A. T. HULL, *Secretary.*

Messrs. Flenniken and Christoph had leave to record their votes "May" on the capitol appropriation bill.

Leave was granted Mr. Carver from Committee on Reform School to submit the following report:

MR. SPEAKER:—Your Committee on Reform School to whom was referred S. F. No. 21, A bill for an act to permanently locate the Iowa Reform School, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the accompanying papers.

JOHN H. CARVER, *Chairman.*

Mr. Ellsworth, from Committee on Medical Institutions, submitted the following report:

MR. SPEAKER:—Your Committee on Medical Institutions, to whom was referred S. F. No. 202, A bill for an act for the better prevention of criminal abortions, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

L. F. ELLSWORTH, *Chairman.*

Mr. Bonewitz, from the Committee on County and Township Organizations, submitted the following report:

MR. SPEAKER:—Your Committee on County and Township Organizations, to whom was referred H. F. No. 244, A bill for an act to amend section 7 of chapter 148, laws of the Thirteenth General Assembly, in regard to the increase of the number of members of the board of supervisors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the accompanying substitute do pass.

Also, H. F. No. 338, A bill for an act to divide counties into districts for the election of members of the board of supervisors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House without recommendation.

Also, H. F. No. 160, A bill for an act to repeal a part of chapter 95 of the acts of the Twelfth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the accompanying substitute, and recommend substitute do pass.

BONEWITZ, *Chairman.*

Mr. Rohlf, from Committee on Normal Schools, submitted the following report:

MR. SPEAKER:—Your Committee on Normal Schools, to whom



was referred S. F. No. 183, A bill for an act to provide a system of Normal Schools for the State of Iowa, beg leave to report that they have had the same under consideration, and a majority of said committee have instructed me to report the same back to the House with the recommendation that it do pass, with the following amendments:

1st. Strike out of the first line and part of the second line of second section, before "superintendent of public instruction," and insert in lieu thereof "the census board and."

2d. Strike out that part of the fourth line of 5th section, after "to be," and insert "named by the Governor and approved by the Senate."

3d. After the word "schools," in the first line of section 8, insert the words "who shall reside in the vicinity of their respective schools."

All of which is respectfully submitted.

M. J. ROHLFS, *Chairman pro tem.*

Mr. Beresheim, from the Committee on Congressional Districts, submitted the following report:

MR. SPEAKER:—Your Committee on Congressional Districts, to whom was referred S. F. No. 228, A bill for an act dividing the State into nine congressional districts, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

BERESHEIM, *Chairman.*

Leave was granted to Mr. Cadwell to call up H. F. No. 292.

The bill was taken up and referred to Committee on Ways and Means.

Mr. Hall moved to reconsider the vote by which the House asked for a committee of conference on substitute for H. F. No. 12.

The motion prevailed.

The House refused to concur in Senate amendment to said bill.

By leave Mr. Ballinger submitted a petition asking aid for Joseph Metz which was referred to Committee on Claims.

By leave Mr. Duncombe called up H. F. No. 279, A bill for an act to tax railroad property, &c.

Mr. Gear moved that the bill be printed with the amendments in italics and passed upon the files, and made a special order for to-morrow at 2:30 p. m.

The motion prevailed.

Mr. Pratt moved that when this House adjourn it adjourn till to-morrow at 9 o'clock.

The motion prevailed.

Mr. Butler had leave to submit the following report from Committee on Public Buildings :

MR. SPEAKER :—Your Committee on Public Buildings to whom was referred S. F. No. 122, A bill for an act to permanently locate and provide for the erection and control of an additional penitentiary beg leave to report that they have had the same under consideration and a majority have instructed me to report the same back to the House with the recommendation that it do pass.

WM. BUTLER, *Chairman.*

By leave Mr. Campbell offered the following resolution, which was adopted:

*Resolved*, That the Railroad Committee is directed to report to this House on to-morrow morning H. F. No. —, being a bill for an act repealing chapter No. 106 of the acts of the 13th General Assembly.

Mr. Hull by leave presented a petition from citizens of Burlington praying for the enactment of a law extending the corporate limits of said city.

Referred to Committee on Incorporations.

Mr. Gear presented the petition of 200 citizens owning property adjoining the city limits remonstrating against the enactment of any law extending the city limits.

Referred to Committee on Incorporations.

By leave Mr. Hopkirk submitted the following report :

MR. SPEAKER :—Your Committee on Roads and Highways to whom was referred H. F. No. 391, A bill for an act to legalize the tax in Emmet county for making and repairing bridges, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

WILLIAM HOPKIRK, *Chairman.*

The Speaker announced the special order, H. F. No. 332, A bill for an act to establish a system of normal schools.

Mr. Rohlf's moved that the bill be passed on file.

The motion prevailed.

Mr. Rohlf's moved to take up S. F. No. 183, A bill for an act to establish a system of normal schools for the State of Iowa.

The motion prevailed, and the bill was taken up and considered.

The amendments recommended by the committee were adopted.

Mr. Keables moved to amend by inserting after the word "grounds," in the 15th line of section 3, the words "and suitable buildings."

Leave was granted to Mr. Keables to withdraw his amendment.

Mr. Leahy moved to amend the 4th section as follows: By inserting after the word "occupancy," the words "*provided*, that if such permanent buildings are not furnished within two years from the time of said location, the commissioners may change the location."

The amendment was adopted.

Mr. Hilton moved to amend by adding to section 4: "*Resolved further*, That the erection of such permanent buildings shall in no case be at the expense of the State."

The amendment was adopted.

Mr. Irish moved that the bill be considered section by section.

The motion prevailed.

Leave of absence was granted to Messrs. Blake, Davis, and Williams.

Mr. McAllister moved to strike out "1872," in 3d section, and insert "1873," and to strike out "1873," and insert "1874."

The amendment did not prevail.

Mr. Hall moved to amend section 3 by inserting after the words "building material," in the 9th line, the words, "and for the keeping and maintaining the same in suitable condition and repair for public use, and the erection of such buildings as public necessity requires, and to this end cities and counties are authorized to levy taxes for such purposes, a vote of the inhabitants thereof having been first held, as provided by law, authorizing such county, city, or incorporated town to make such pledges against such property as security."

Mr. Campbell moved to amend the amendment by striking out the last clause of the amendment.

The motion did not prevail.

The amendment was adopted.

Mr. Irish moved to reconsider the vote by which the House adopted the last proviso to section 4.

The motion did not prevail.

Mr. Davisson moved to strike out of 6th line of section 4 the words "without expense to the State."

The motion did not prevail.

Mr. Teale moved to amend section 8 by adding the words "who shall receive no money for their services."

The amendment was adopted.

Mr. Stow moved to add to section 8: "No person shall be so appointed who is in any manner connected with any private college or seminary, and no teacher shall be employed in any school established by this bill who is a teacher or professor in any private college or seminary."

The amendment was adopted.

Mr. Whitten moved to strike out the fourth condition in section 10, and insert the following: "Each applicant shall file with the

principal a bond with sureties running to the State of Iowa, in the penalty of \$500, conditioned that he or she will teach in the common schools of this State for a period equal to double the time spent in said Normal School, or pay the sum of \$50 for each year he or she fails so to teach, such bond to be approved by the auditor of the county where said applicant resides. *Provided*, that for good cause the board of trustees may release them from said obligations."

Mr. Wood, of Clay, moved to amend the amendment as follows: "*Provided*, he or she does not marry."

The amendment to the amendment did not prevail.

Mr. Crawford moved to lay the bill on the table, and demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Campbell, Close, Crawford, Danforth, Day, Dayton, Duncan, Durham, Ellsworth, Evans, Gear, Hopkirk, Johnston, Lee, McCoy, Sandry, Stewart, Tutts, and Wright, of Van Buren—Total, 19.

The nays were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Jasper; Beresheim, Bergh, Blackman, Blakely, Bliss, Bonewitz, Booth, Butler, Cadwell, Caldwell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Davisson, Draper, Dumont, Durcombe, Ericson, Freeman, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hilton, Hovey, Keables, Leahy, Litzenberg, McClure, Merrell, Miller, Newbold, Paul, Peet, Perkins, Pratt, Reuther, Rice, Rohlf, Rule, Schweer, Secor, Skillin, Stedman, Stow, Struthers, Tasker, Teale, Van Deventer, Van Meter, Van Sann, Whitten, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; and Mr. Speaker—Total, 65.

Absent or excused—

Messrs. Beatty, of Cedar; Blake, Christoph, Davis, Flenniken, Hanan, Irish, Kasson, Maxwell, McAllister, Mills, Morrison, O'Donnell, Reed, Tuttle, and Williams—Total, 16.

So the House refused to table the bill.

By unanimous consent Mr Lee submitted the following report:

MR. SPEAKER:—The Committee on Engrossed Bills ask leave to report that they have examined the following bills, and find the same correctly engrossed.

H. F. No. 86, A bill for an act to amend chapter 61 of the Revision of 1860, regulating fences.

Also, H. F. No. 336, A bill for an act to legalize the organization of the independent school district of West Grove, in Davis county, Iowa.

Also, H. F. No. 265, A bill for an act to amend the act to provide a State Capitol, approved April 13th, 1870, and making appropriation therefor.

JOHN M. LEE, of Committee.

The amendment did not prevail.

Mr. Blakely moved to strike out the last sentence in section 11.

The motion did not prevail.

Mr. Keables moved to add to the 12th section, Notice of such revocation shall be communicated by the Board of Trustees to the different county superintendents.

The motion prevailed.

Mr. Campbell moved to strike out of the 14th section all the first line, and all that portion of the second line to the word schools, inclusive.

The motion prevailed.

Mr. Ainsworth moved to strike out of the third line of the 14th section the words "or controverted."

The motion prevailed.

Mr. Irish moved that this House do not adjourn until 12:30.

The motion prevailed.

Mr. Teale moved to strike out all of the 16th section after the word "expenses" in the third line.

Mr. Hall moved to amend the amendment by striking out all of said section from the word "act" in the second line to the word "except" in the third line.

The motion did not prevail.

Mr. Carver moved to amend the amendment by striking out the words "and trustees" in the first line of section 16.

The motion did not prevail.

The amendment was adopted.

Mr. Bliss offered the following amendment to section 17.

The sum of thirty thousand dollars is hereby appropriated out of any moneys in the State Treasury not otherwise appropriated, or so much as may be necessary for carrying into effect the provisions of this act; *Provided*, that not more than seven thousand five hundred dollars shall be applied for the benefit of any one of said schools.

The amendment was not adopted.

Mr. Evans offered the following amendment to section 17:

*Provided further*, that no school organized under the provisions of this act shall receive in appropriations from the State Treasury a greater sum than \$2,500 annually.

The amendment did not prevail.

Mr. Campbell moved to strike out section 19.

The motion prevailed.

Mr. Davis moved to insert in lieu of section 19, the following:

The said Board of Commissioners shall not locate any of said schools in any county of a less population than four thousand inhabitants, as shown by the census of 1870.

Mr. Caldwell moved to strike out "four thousand" and insert ten thousand.

The hour for adjournment having arrived, the Speaker announced the House adjourned till to-morrow morning at 9 a. m.

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, April 5, 1872. }

House convened pursuant to adjournment.  
The Speaker in the chair.  
Prayer by Rev. J. A. Nash.  
Journal of yesterday was read and approved.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bills and resolution, in which the concurrence of the House is asked:

S. F. No. 232, A bill for an act to legalize the acts of the independent school district of Grand Junction, Iowa.

Also, resolution in relation to appointing a committee to confer with the Secretary of State in regard to the sale of certain documents now in possession of the State.

I am also directed to inform your honorable body that the Senate has passed the following bills without amendment:

H. F. No. 62, A bill for an act for the encouragement of horticulture and forestry.

Also, H. F. No. 103, A bill for an act to amend article two of chapter sixty-four, Revision of 1860.

Also, H. F. No. 234, A bill for an act to legalize the incorporation of the Des Moines, Boone & Northern Railway Company, and certain of its acts and contracts.

Also, H. F. No. 341, A bill for an act to appropriate money for the maintenance of the State University of Iowa.

J. A. T. HULL, *Secretary*.

The House resumed the consideration of S. F. No. 183, the question on the amendment of Mr. Davisson to strike out section 19, and the amendment to the amendment offered by Mr. Caldwell.

The amendment to the amendment did not prevail.

The amendment was not adopted.

Mr. Wood, of Clay, moved to insert in lieu of section 19, "that said schools be located in counties having a population of over 3,500."

Mr. Blakely moved to amend the amendment by providing that no counties having a population of less than 3,500 be required to pay any tax to maintain such schools.

The amendment to the amendment did not prevail.

The amendment was not adopted.

Mr. Leahy offered the following amendment: "That the instruction to be imparted in the normal school herein provided for, shall be confined exclusively to the theory and practice of teaching."

On the adoption of the amendment Mr. Leahy demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Appleton, Ballinger, Beatty, of Cedar; Blakely, Bonewitz, Cadwell, Caldwell, Carver, Christoph, Close, Crawford, Davisson, Dayton, Draper, Dumont, Duncan, Durham, Ellsworth, Evans, Flenniken, Gear, Hanson, Hilton, Hopkirk, Leahy, Lee, McAllister, McCoy, Peet, Reuther, Sandry, Schweer, Stedman, Stewart, Stow, Teale, Tufts, Van Meter, Whitten, Wright, of Mills; and Wright, of Van Buren—Total, 41.

The nays were—

Messrs. Ainsworth, Beatty, of Jasper; Beresheim, Bergh, Bliss, Butler, Campbell, Cardell, Clark, of Benton; Clarke, of Iowa; Danforth, Day, Duncombe, Ericson, Freeman, Goodspeed, Green, Hall, Heberling, Hewett, Hovey, Irish, Litzenberg, McClure, Merrell, Mills, Newbold, Paul, Perkins, Pratt, Rice, Rohlf, Rule, Secor, Tasker, Tuttle, Van Deventer, Van Saun, Williams, Wilson, of Keokuk; Wood, of Olay; Wood, of Story; and Mr. Speaker—Total, 43.

Absent or excused—

Messrs. Blackman, Blake, Booth, Davis, Hanan, Johnston, Kasson, Keables, Maxwell, Miller, Morrison, O'Donnell, Reed, Skillin, Struthers, and Wilson, of Washington—Total, 16.

So the motion to amend did not prevail.

Mr. Hall moved to amend the first sub division of section 10, by inserting, "applicants shall be not less than sixteen years of age."

The amendment was adopted.

Mr. Duncan moved to strike out "four" in second section in the fourth line and insert "two."

Mr. Close moved to amend the amendment by striking out "two" and inserting "one."

The amendment to the amendment did not prevail.

Mr. Davisson moved to amend the amendment by striking out "two" and inserting "nine."

The amendment to the amendment did not prevail.

Mr. Blakely moved to amend the amendment by striking out "two" and inserting "one in each county of the State, without expense to the State."

The motion did not prevail.

The amendment was not adopted.

Mr. Leahy moved to amend the first section by striking out the words "preparation of teachers for teaching in the commons chools



of the State," and insert "instruction of teachers in the theory and practice of teaching."

The hour for adjournment having arrived, the Speaker declared the House adjourned.

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TWO O'CLOCK, P. M.

House called to order by the Speaker.

The question recurring on the amendment offered by Mr. Leahy, the amendment was adopted.

Leave of absence was granted to Messrs. Steadman, Skillin, Ballinger, and Secor.

The question recurring on the engrossment of the bill, Mr. Rohlf's demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Blackman, Blakely, Bliss, Bonewitz, Butler, Cadwell, Caldwell, Cardell, Carver, Christoph, Clark, of Benton; Dumont, Duncombe, Ericson, Flenniken, Freeman, Goodspeed, Green, Hall, Heberling, Hewett, Hilton, Hovey, Irish, Leahy, Litzenberg, Maxwell, McAllister, McClure, Merrell, Miller, Mills, Newbold, Peet, Perkins, Pratt, Rohlf's, Rule, Secor, Tasker, Van Deventer, Van Sann, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wright, of Van Buren; and Mr. Speaker—Total, 55.

The nays were—

Messrs. Campbell, Close, Crawford, Danforth, Davisson, Dayton, Draper, Duncan, Durham, Ellsworth, Evans, Gear, Hanson, Hopkirk, Johnston, Lee, McCoy, O'Donnell, Reuther, Rice, Sandry, Schweer, Stewart, Stow, Teale, Tufts, Van Meter, Wood, of Story; and Wright of Mills—Total, 29.

Absent or excused—

Messrs. Bergh, Blake, Booth, Clarke, of Iowa; Davis, Day, Hanan, Kasson, Keables, Morrison, Paul, Reed, Skillin, Stedman, Struthers, and Tuttle—Total, 16.

So the bill was ordered engrossed for a third reading.

Mr. Duncombe moved to suspend the special order preceeding H. F. No. 279, and take up H. F. No. 279, A bill for an act to tax railroad property, &c.

MESSAGE FROM THE SENATE.

The following message was received from the Senate, which was passed on file:

MR. SPEAKER:—I am ordered by the Senate to request your

honorable body to transmit to the Senate substitute for H. F. No. 12, A bill for an act to prescribe rules and regulations for railroads, and to establish uniform and reasonable maximum rates of tariff for the transportation of certain freights thereon.

J. A. T. HULL, *Secretary*.

By leave, Mr. Kasson called up the message from the Senate, in relation to substitute for H. F. No. 12, and moved that the bill be sent to the Senate.

The motion prevailed.

The motion to postpone prevailed, and H. F. No. 279, was taken up and considered.

Mr. Duncombe moved that the House concur in the Senate amendments.

Mr. Pratt moved to amend the motion by striking out the proviso at the end of section three.

The amendment did not prevail.

On the adoption of the Senate amendment, the yeas and nays were as follows :

The yeas were—

Messrs. Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blakely, Bliss, Butler, Cadwell, Caldwell, Cardell, Carver, Clarke, of Iowa; Close, Crawford, Davisson, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Hanson, Heberling, Hilton, Hopkirk, Hovey, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, Maxwell, McClure, Merrell, Miller, Mills, Newbold, Peet, Perkins, Pratt, Reuther, Rice, Rule, Sandry, Secor, Tasker, Teale, Van Deventer, Van Meter, Van Saun, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wright, of Mills; Wright, of Van Buren, and Mr. Speaker—Total, 62.

The nays were—

Messrs. Ainsworth, Bonewitz, Christoph, Danforth, Day, Freeman, Gear, Goodspeed, Green, Hall, Irish, McAllister, McCoy, O'Donnell, Rohlf, Schweer, Stewart, Stow, Tufts, and Wood, of Story—Total, 20.

Absent or excused—

Messrs. Appleton, Ballinger, Blake, Booth, Campbell, Clark, of Benton; Davis, Hanan, Hewett, Morrison, Paul, Reed, Skillin, Stedman, Struthers, Tuttle, and Whitten—Total, 18.

#### REPORTS OF COMMITTEES.

Mr. Van Deventer, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER :—The Committee on Enrolled Bills ask leave to

report that they have examined the following bills and find the same correctly enrolled :

S. F. No. 201, A bill for an act to encourage and promote immigration to the State of Iowa.

H. F. No. 341, A bill for an act to appropriate money for the maintenance of the State University of Iowa.

H. F. No. 103, A bill for an act to amend article two of chapter sixty-four of the Revision of 1860.

H. F. No. 234, A bill for an act to legalize the incorporation of the Des Moines, Boone & Northern Railway Company, and certain of its acts and contracts.

H. F. No. 62, A bill for an act for the encouragement of horticulture and forestry.

J. VAN DEVENTER, *Chairman.*

By leave, Mr. Butler, from the Committee on Police Regulations, submitted the following report :

MR. SPEAKER :—Your Committee on Police Regulations, to whom was referred substitute for S. F. No. 27, A bill for an act to regulate the manufacturing, keeping, and sale of certain oils, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

WILLIAM BUTLER, *Chairman.*

Mr. Kasson, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER :—Your Committee on Ways and Means, to whom was referred S. F. No. 190, A bill for an act making appropriations for the Agricultural College and Farm, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass with the following amendments :

Strike out all of the first section after the words and figures "five thousand dollars (\$5000)" in the fourth line thereof, and insert the following : The fixtures for the rear wing, five hundred (\$500) ; for the main building, including laboratories, twenty-five thousand dollars (\$25000) ; for the improvement of orchards, vineyards, and nursery, one thousand dollars, (\$1000) ; for farm barns, stock, and other improvements, seven thousand dollars, (\$7000).

Also, S. F. No. 197, A bill for an act making further appropriations for the Hospital for the Insane at Mt. Pleasant, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended as follows, and that so amended it do pass :

Strike out of the tenth and eleventh lines, the words, " For

landscape gardening and drive-ways, two thousand dollars." Strike out of the fourteenth and fifteenth lines the words "for reconstructing six water closets, two thousand eight hundred dollars." Strike out of the twentieth line the words, "for safe, one thousand dollars." Insert after the word "order," in the third line of section two, the word, "shall."

Also, H. F. No. 374, A bill for an act to amend chapter 109, acts of the 13th General Assembly, &c., beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with amendments in the form of a substitute, and the recommendation that the substitute do pass.

Also, H. F. No. 258, A bill for an act to amend chapter 45, section 742, Revision of 1860, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House, with the recommendation that it be indefinitely postponed, as the same subject is provided for in substitute for H. F. No. 264.

Also, H. F. No. 264, A bill for an act to amend subdivision 2, of section 742, Revision of 1860, in relation to the State Board of Equalization, beg leave to report that they have had the same under consideration and have instructed me to report to the House a substitute therefor, with the recommendation that the substitute do pass.

JOHN A. KASSON, *Chairman.*

Mr. Caldwell from the Committee on Railroads, submitted the following report :

MR. SPEAKER:—Your Committee on Railroads to whom was referred H. F. No. 275, A bill for an act to prevent the loss of life in the operation of railcad trains, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House without recommendation.

Also, S. F. No. 90, A bill for an act requiring the regulations of the running of railroad trains, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, H. F. No. 276, A bill for an act to repeal chapter 106, acts of the 13th General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, H. F. No. 91, A bill for an act for the taxation of railroads, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, H. F. No. 14, A bill for an act for taxing railroads, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, H. F. No. 295, A bill for an act to amend section 6, chapter 160, acts of the Ninth General Assembly, in relation to the killing of stock, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, H. F. No. 156, A bill for an act, &c., beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, H. F. No. 142, A bill for an act for taxing railroads, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, S. F. No. 97, A bill for an act making corporations and persons owning and operating railroads liable for the willful wrongs of the agents and employees, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

S. T. CALDWELL, *Chairman.*

Mr. Kasson moved that S. F. No. 190 be made a special order for Tuesday, April 9.

The motion prevailed.

By leave, Mr. Caldwell introduced H. F. No. 409, A bill for an act to legalize the acts of the Logan town company.

Read a first and second time, and referred to Committee on Incorporations.

On motion of Mr. Wright, of Mills, the special order, substitute for H. F. No. 21, A bill for an act making additional appropriations for the Iowa Soldiers' Orphan's Home, was taken up and considered.

Mr. Green moved to strike out of section 1 the words "for hospital and other repairs, \$3,000, for library \$200," and insert "for improvements, hospital repairs, and furniture, \$6,000, for library \$200."

The motion prevailed.

Mr. Wright, of Mills, moved to strike out of 1st section all after the word "Glenwood," and insert "for improvements and repairs, wash house, school room, and school room furniture, \$6,000, for library \$200."

The motion prevailed.

Mr. Leahy moved that the whole matter be referred to Committee on Charitable Institutions, with instructions to report on Wednesday, April 10th.

The motion did not prevail.

Mr. Close moved to amend section 1 by striking out the words from "Cedar Falls," to the words "for soldiers," and insert "for improvement and repairs \$2,000, for library \$300.

The amendment was adopted.

The substitute was adopted.

The bill was ordered to be engrossed, and to be read a third time.

Mr. Green moved that the rule be suspended, that the bill be considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Beatty, of Cedar; Beresheim, Blackman, Blake, Bliss, Bonewitz, Butler, Cadwell, Caldwell, Cardell, Carver, Christoph, Clarke, of Iowa; Close, Crawford, Danforth, Davisson, Day, Dayton, Dumont, Duncan, Duncombe, Ellsworth, Ericson, Evans, Flenniken, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hovey, Irish, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Miller, Mills, Newbold, O'Donnell, Paul, Peet, Perkin, Pratt, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Stow, Struthers, Tasker, Tufts, Van Deventer, Van Meter, Van Sann, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; and Mr. Speaker—Total, 76.

The nays were—

Messrs. Beatty, of Jasper; Blakely, Draper, Durham, Hilton, Hopkirk, and Stewart—Total, 7.

Absent or excused—

Messrs. Appleton, Ballinger, Bergh, Booth, Campbell, Clark, of Benton; Davis, Hanan, Hewatt, Morrison, Skillin, Struthers, Reed, Teale, Tuttle, Whitten, and Wright, of Van Buren—Total, 17.

So the bill passed and the title was agreed to.

Mr. Van Deventer moved to take up the special order, H. F. No. 327, A bill for an act to require cities to pay damages in certain cases.

The motion prevailed.

Mr. Hall moved to amend the first Committee amendment by inserting after the word "notice," in second line of section 3, the following: "By publication for three weeks in one or more newspapers published in said city."

The amendment was adopted.

The Committee amendment was adopted.

Mr. Gear moved to strike out section 5.

The motion prevailed.

Mr. Van Deventer moved that the rule be suspended, that the bill be considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Ainsworth, Beatty, of Cedar; Beatty of Jasper; Beresheim, Bergh, Blakely, Bliss, Bonewitz, Cadwell, Cardell, Christoph, Close, Crawford, Davisson, Day, Dayton, Draper, Dumont, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hilton, Hopkirk, Hovey, Irish, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, Maxwell, McClure, McCoy, Merrell, Newbold, O'Donnell, Peet, Perkins, Pratt, Renthner, Rice, R hlfs, Rule, Sandry, Schweer, Secor, Stewart, Stow, Struthers, Tasker, Tufts, Van Deventer, Van Meter, Van Saun, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; and Mr. Speaker—Total, 72.

The nays were none.

Absent or excused—

Messrs. Appleton, Ballinger, Blackman, Blake, Booth, Butler, Caldwell, Campbell, Carver, Clark, of Benton; Clarke, of Iowa; Danforth, Davis, Duncan, Hanan, Hewett, McAllister, Miller, Mills, Morrison, Paul, Reed, Skillin, Struthers, Teale, Tuttle, Whitten, and Wright, of Mills—Total, 28.

So the bill passed and the title was agreed to.

Leave of absence was granted Mr. Hopkirk.

Mr. Tasker moved that S. F. No. 122 be taken up and made a special order for Wednesday, April 10th.

The motion prevailed.

By leave, Mr. Beresheim called up H. F. No. 43, A bill to establish an argument term of the Supreme Court at Council Bluffs.

The bill was taken up and considered.

Mr. Beresheim moved to strike out the publication clause.

The motion prevailed.

Mr. Beresheim moved that the rule be suspended, that the bill be considered, engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Ainsworth, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Blakely, Bliss, Bonewitz, Cad-



well, Caldwell, Cardell, Carver, Christoph, Clarke, of Iowa; Olose, Crawford, Danforth, Davisson, Day, Dayton, Draper, Dumont, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hilton, Hopkirk, Hovey, Irish, Johnston, Kasson, Keables, Lee, Litzenberg, Maxwell, McAllister, McClure, McCoy, Miller, Mills, Newbold, Peet, Perkins, Pratt, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Stewart, Stow, Struthers, Tasker, Tufts, Van Deventer, Van Meter, Van Saun, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; and Mr. Speaker.—Total, 78.

The nays were—Mr. Leahy.—Total, 1.

Absent or excused—

Messrs. Appleton, Ballinger, Booth, Butler, Campbell, Clark, of Benton; Davis, Duncan, Hanan, Hewett, Merrell, Morrison, O'Donnell, Paul, Reed, Skillin, Stedman, Teale, Tuttle, Whitten, and Wright, of Van Buren—Total, 21.

So the bill passed and the title was agreed to.

The hour of adjournment having arrived the Speaker declared the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, April 6th, 1872. }

House convened pursuant to adjournment.

The Speaker in the Chair.

Prayer by Hon. I. Blakely.

The Journal of yesterday read and approved.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following joint resolution, in which the concurrence of the House is asked.

A joint resolution appointing Trustees for the Iowa Hospital for the Insane at Independence.

I am also directed to inform your honorable body that the Senate has passed the following bills:

H. F. No. 277, A bill for an act to provide for an allowance to the Chief Justice of the Supreme Court for clerk hire, without amendment.

Also, H. F. No. 265, A bill for an act to amend an act to provide

for a State Capitol, approved April 13, 1870, and making appropriations therefor, with an amendment as follows: Strike out the proviso of section 2.

In which amendment the concurrence of the House is respectfully asked.

I am also directed to inform your honorable body that the Senate insists on its amendment to substitute for H. F. No. 12, and asks the appointment of a committee of conference, and has appointed as such committee on the part of the Senate, Senators West, Stone and Stuart.

J. A. T. HULL, *Secretary*.

By leave Mr. Leahy introduced H. F. No. 410, A bill for an act to amend chapter 101 of the Revision of 1860.

Read a first and second time, and referred to Committee on Judiciary.

Mr. Davisson submitted a report from conference committee on substitute for S. F. No. 1 which was passed on file.

Mr. Keables moved that a conference committee be appointed to confer with a like committee from the Senate on substitute for H. F. No. 12.

The motion prevailed.

The Speaker announced on the part of the House, as conference committee on substitute for H. F. No. 12, Messrs. Hall, O'Donnell and Tasker.

On motion of Mr. Butler H. F. No. 4, A bill for an act to protect the people of Iowa from empiricism and imposition in the practice of medicine, was taken up and considered.

Mr. Ellsworth offered a substitute for the bill.

Mr. Hilton moved to amend by striking out of fifth line of section one the words, "and is not of good moral character."

The motion did not prevail.

Mr. Maxwell moved to amend section one, fourth line, by striking out the words "district or county."

The amendment did not prevail.

Mr. Davisson moved to amend fifth line of section one by inserting after the word "society" the words "or who has not practiced medicine in this State for a term of ten years."

The amendment did not prevail.

Mr. Freeman moved to amend as follows:

This act shall not be published under the provisions of chapter 18, laws of the Eleventh General Assembly.

The motion prevailed.

Mr. Keables moved to amend the first line of section three by striking out "November, 1872," and insert "January, 1873."

Mr. Davisson moved to amend the amendment by striking out section three.

The motion did not prevail.

Mr. Irish moved to reconsider the vote by which the House adopted the amendment in reference to publishing the bill according to the provisions of chapter 118, laws Eleventh General Assembly.

The motion did not prevail.

Mr. Keables moved to amend by adding a publication clause.

The motion did not prevail.

Mr. Close moved to strike out section five.

The motion prevailed.

The amendment was adopted.

Mr. Blackman offered a substitute for the substitute.

The substitute for the substitute was adopted.

Mr. Blakely moved that the bill be indefinitely postponed.

On the adoption of the motion the yeas and nays were demanded, which were as follows :

The yeas were—

Messrs. Bergh, Blackman, Blake, Blakely, Bliss, Bonewitz, Close, Crawford, Davisson, Day, Dayton, Duncan, Ellsworth, Ericson, Evans, Flenniken, Freeman, Gear, Goodspeed, Hall, Hanson, Heberling, Hovey, Leahy, Newbold, Pratt, Reuther, Rice, Sandry, Schweer, Stewart, Stow, Struthers, Tufts, Van Meter, Van Sann, Wilson, of Keokuk; Wilson, of Washington; and Mr. Speaker—Total, 38.

The nays were—

Messrs. Ainsworth, Beatty, of Cedar; Beatty, of Jasper; Butler, Cadwell, Caldwell, Cardell, Clarke, of Iowa; Danforth, Davis, Draper, Hilton, Irish, Johnston, Kasson, Keables, Lee, Maxwell, McAllister, McCoy, Miller, Mills, O'Donnell, Perkins, Rohlf, Secor, Teale, Tuttle, Wood, of Clay; Wood, of Story; Wright, of Mills, and Wright, of Van Buren—Total, 32.

Absent or excused—

Messrs. Appleton, Ballinger, Beresheim, Booth, Campbell, Carver, Christoph, Clark, of Benton; Dumont, Duncombe, Durham, Green, Hanan, Hewett, Hopkirk, Litzenberg, McClure, Merrell, Morrison, Paul, Peet, Reed, Rule, Skillin, Stedman, Tasker, Van Deventer, Whitten, and Williams—Total, 30.

So the motion to indefinitely postpone prevailed.

#### REPORTS OF COMMITTEES.

Mr. Van Deventer, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER :—The Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bills, viz:

S. F. No. 171, An act to regulate the intersection of railroad tracks near the Mississippi.

H. F. No. 41, An act to enable co-operative and mutual loan associations to raise funds, &c.

H. F. No. 108, An act to legalize the organization of the township of Center, O'Brien county.

S. F. No. 231, An act to legalize the acts of George E. Maxwell.

S. F. No. 32, An act authorizing municipal corporations to levy poll-tax.

S. F. No. 110, An act to legalize the levy of certain taxes in the townships of Monroe and Jefferson.

S. F. No. 184, An act concerning the acknowledgments of deeds, &c.

H. F. No. 78, An act relating to taxes levied for bridge purposes.

H. F. No. 237, An act to legalize the donation of the swamp lands and swamp land funds of Hamilton county, Iowa.

H. F. No. 101, An act prohibiting clerks and deputy clerks of district and circuit courts practicing as attorneys or solicitors in said courts, and to prohibit their holding the office of justice of the peace.

H. F. No. 204, An act to amend section 835 of the Revision of 1860.

S. F. No. 50, An act to enlarge the Iowa Institution for the Education of the Blind.

S. F. No. 201, An act to encourage and promote immigration, &c.

H. F. No. 341, An act to appropriate money for the maintenance of the State University.

H. F. No. 103, An act to amend article two of chapter sixty-four, Revision of 1860.

H. F. 62, An act for the encouragement of horticulture and forestry.

H. F. No. 234, An act to legalize the incorporation of the Des Moines, Boone and Northern Railway Company, and certain of its acts and contracts.

J. VAN DEVENTER, *Chairman.*

Mr. Van Deventer, from Committee on Enrolled Bills, submitted the following:

MR. SPEAKER:—The Committee on Enrolled Bills ask leave to report that they have examined the following bill and find the same correctly enrolled:

Substitute for H. F. No. 279, A bill for an act to tax railroad property, regulating such taxation, and releasing certain taxes herein named.

J. VAN DEVENTER, *Chairman.*

Leave was granted to Mr. Hall to call up S. F. No. 156, A bill for an act to legalize corporations for pecuniary purposes, &c.

The bill was taken up and considered.

Mr. Hall moved to amend section one by inserting after the word "legalize" the words "are hereby made as legal and binding as if such notice had been duly given."

The amendment was adopted.

The bill was ordered engrossed and to be read a third time.

Mr. Hall moved that the rule be suspended, that the bill be considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Beatty, of Jasper; Beresheim, Bergh, Blake, Blakely, Bonewitz, Cadwell, Caldwell, Cardell, Christoph, Clarke, of Iowa; Close, Crawford, Danforth, Davisson, Day, Dayton, Draper, Duncan, Durham, Ericson, Evans, Flenniken, Freeman, Gear, Goodspeed, Hall, Hanson, Heberling, Hewett, Irish, Johnston, Kasson, Leahy, Lee, Maxwell, McCoy, Newbold, O'Donnell, Peet, Pratt, Renther, Rice, Rohlf, Sandry, Schwaer, Secor, Stewart, Stow, Struthers, Teale, Tufts, Tuttle, Van Deventer, Van Meter, Van Sann, Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren, and Mr. Speaker—Total, 62.

The nays were—

Messrs. Beatty, of Cedar; Bliss, Ellsworth, Hilton and Tasker—Total, 5.

Absent or excused—

Messrs. Appleton, Ballinger, Blackman, Booth, Butler, Campbell, Carver, Clark, of Benton; Davis, Dumont, Duncombe, Green, Hanan, Hopkirk, Hovey, Keables, Litzenberg, McAllister, McClure, Merrell, Miller, Mills, Morrison, Paul, Perkins, Reed, Rule, Skillin, Stedman, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington—Total, 33.

Mr. Kasson moved to take up Senate message on H. F. No. 265, A bill for an act entitled "An act to provide a State Capitol," &c.

The motion prevailed.

Leave of absence was granted to Mr. Rule.

Mr. Tuttle moved that the House concur in the Senate amendment.

Mr. Van Deventer, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bills, viz:

Substitute for H. F. No. 279, An act to tax railroad property, regulating such taxation, and releasing certain taxes therein named.

J. VAN DEVENTER, *Chairman.*

Mr. Van Deventer from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills ask leave to report that they have examined the following bill and find the same correctly enrolled :

H. F. No. 277, A bill for an act to provide for an allowance to the chief justice of the supreme court for clerk hire.

J. VAN DEVENTER, *Chairman.*

Mr. Kasson moved that the further consideration of the bill be postponed until Tuesday, April 9th, at 9:30 A. M.

On the motion to postpone the yeas and nays were demanded, which were as follows :

Messrs. Beatty, of Cedar; Beatty, of Jasper; Beresheim, Blake, Butler, Cadwell, Cardell, Clarke, of Iowa; Close, Davisson, Draper, Duncan, Duncombe, Durham, Evans, Freeman, Gear, Hall, Hanson, Heberling, Hovey, Irish, Johnston, Kasson, Keables, Leahy, Lee, Maxwell, McAllister, McCoy, Miller, Mills, Newbold, O'Donnell, Perkins, Rice, Rohlf, Struthers, Tasker, Teale, Tufts, Tuttle, Van Deventer, Van Meter, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story and Wright, of Mills; and Mr. Speaker—Total, 50.

The nays were—

Messrs. Ainsworth, Bergh, Blackman, Blakely, Bliss, Bonewitz, Caldwell, Christoph, Crawford, Danforth, Day, Dayton, Ellsworth, Ericson, Flenniken, Goodspeed, Hilton, Peet, Pratt, Reuther, Sandry, Schweer, Stewart, Stow, Van Saun, and Wright, of Van Baren—Total, 26.

Absent or excused—

Messrs. Appleton, Ballinger, Booth, Campbell, Carver, Clark, of Benton; Davis, Dumont, Green, Hanan, Hewett, Hopkirk, Litzenberg, McClure, Merrell, Morrison, Paul, Reed, Rule, Secor, Skillin, Stedman, Whitten, and Williams—Total, 24.

So the motion to postpone prevailed.

Mr. Lee moved that when the House adjourn, it adjourn until 9 o'clock next Monday morning.

The motion prevailed.

By leave Mr Keables from Committee on Asylum for the Insane submitted the following report :

MR. SPEAKER:—Your Committee on Asylum for the Insane, to whom was referred H. F. No. 163, A bill for an act to protect the insane, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the accompanying substitute do pass.

B. F. KEABLES, *for Chairman.*

Substitute for H. F. No. 163, was ordered printed.

By leave Mr. Heberling introduced H. F. No. 411, A bill for an act in relation to the Asylum for the Deaf and Dumb at Council Bluffs.

Read a first and second time, and referred to Committee on Deaf and Dumb.

By leave Mr. Kasson from the Committee on Ways and Means submitted the following report:

MR. SPEAKER:—Your Committee on Ways and Means, to whom was referred H. F. No. 292, and S. F. 18, 61, 221, and 225, bills for acts for the relief of the counties of Harrison, Jasper, Marion, Louisa and Bremer, also a joint resolution for the relief of Howard county, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the substitute reported in lieu thereof, in the form of a joint resolution, be adopted.

JOHN A. KASSON, *Chairman.*

Mr. Newbold from the Committee on Schools submitted the following report:

MR. SPEAKER :—Your Committee on Schools, to whom was referred H. F. No. 399, A bill for an act to give sub directors control of the school property beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

J. G. NEWBOLD, *Chairman.*

By leave Mr. Newbold called up S. F. No. 197, which was taken up and made a special order for Wednesday, April 10th, at 9:30 A. M.

H. F. No. 389 was taken up and made a special order for Thursday, April 11th, at 9:30 A. M.

By leave Mr. Beatty, of Cedar, called up H. F. No. 244 which was taken up and made a special order for Wednesday, April 10th, at 2:30 P. M.

On motion of Mr. Davisson the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, April 8, 1872. }

The House convened pursuant to adjournment.

The Speaker in the chair.

Prayer by Rev. Swope.

Journal of Saturday read and approved.



## MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following bills and joint resolution, in which the concurrence of the House is asked:

S. F. No. 116, A bill for an act in relation to the cancellation of mortgages.

Also, S. F. No. 160 A bill for an act to provide for locating, establishing, and constructing ditches, drains, and water courses.

Also, S. F. No. 165, A bill for an act to repeal an act legalizing the organization of an independent school district from portions of Page and Taylor counties.

Also, S. F. No. 237. A bill for an act to legalize the incorporation of the town of Drakeville, in Davis county, Iowa, the election of its officers, and all the acts done and ordinances passed by the council of said town.

Also, S. F. No. 238, A bill for an act to legalize the ordinances of the city of Waverly, Iowa.

Also, S. F. No. 239, A bill for an act to legalize the incorporation of the town of Bedford, Iowa, and the election of its town council, their acts and ordinances.

Also, S. F. No. 240, A bill for an act to amend chapter two of the acts of the Thirteenth General Assembly, and to authorize the District Judge of the Fourth Judicial District to appoint terms of court in certain counties.

Also, S. F. No. 244, A bill for an act to legalize the official acts of certain notaries public, and a justice of the peace named herein.

Also, S. F. No. 245, A bill for an act to legalize the election of school directors of the independent school district of Camanche City.

Also, joint resolution in relation to settlers on swamp lands, or lands claimed as such.

I am also directed to inform your honorable body that the Senate has concurred in House amendments to S. F. No. 43, A bill for an act to provide for an argument term of the Supreme Court, at Council Bluffs.

Also, S. F. No. 156, A bill for an act to legalize corporations for pecuniary profit organized under the provisions of chapter 52 of the Revision of 1860, as amended by chapter 122, of the acts of the Thirteenth General Assembly.

I am also directed to inform your honorable body that the Senate has passed the following bills without amendment:

H. F. No. 170, A bill for an act to relinquish an escheat in Des Moines county to John Parrott.

Also, H. F. No. 197, A bill for an act making counties responsible for the collection and payment of school fund interest, and to

amend an act for the better protection of the school fund, approved April 8th, 1862.

Also, H. F. No. 846, A bill for an act to provide for taking a census of the State in the year 1873.

Also, substitute for H. F. No. 22, A bill for an act to authorize and regulate the improvement of streets and alleys, and repealing certain laws relative thereto, with amendments as noted in the bill, in which the concurrence of the House is asked.

J. A. T. HULL, *Secretary*.

Mr. Beresheim moved that the House now take up the Senate resolution in relation to adjournment.

The motion did not prevail.

#### REPORTS OF COMMITTEES.

Mr. Pratt, from the Committee on the Judiciary, submitted the following report :

MR. SPEAKER :—Your Committee on Judiciary, to whom was referred H. F. No. 387, A bill for an act to legalize the action of the board of supervisors of Emmet county, in funding outstanding county warrants, and issuing bonds therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, H. F. No. 303, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended by the adoption of the substitute herewith reported, and recommend that said substitute do pass.

Also, H. F. No. 296, A bill for an act to promote water power improvements, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, H. F. No. 77, A bill for an act to amend chapter 118 and 120 of the Revision of 1860, regulating the place of bringing suits, and services of original notice, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended by the adoption of the substitute herewith reported, and recommend that said substitute do pass.

Also, H. F. No. 385, A bill for an act to legalize the acts of the board of supervisors of Hancock county, Iowa, authorizing the county recorder to make new indexes to deed records, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, H. F. No. 226, A bill for an act in relation to land grant lands and the title thereto, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that the substitute herewith reported be adopted and passed.

H. O. PRATT, *for Committee.*

Leave of absence was granted to Messrs. Whitten, and Hopkirk.

Leave was granted to Mr. Newbold to offer the following resolution :

*Resolved*, That a committee of ten of the chairmain of the leading committies, be appointed to assort the bills still pending before the House, and to classify the same, and report them to the House in the order in which they shall be acted on, to enable the House to act on the most important measures before adjournment, with Mr. Pratt as chairman of said committee.

Mr. Rohlf's moved to amend by striking out "ten," and inserting "fifteen."

Mr. Goodspeed moved to strike out "ten" and insert "twenty."

The motion to strike out ten and insert twenty did not prevail.

The motion to strike out ten and insert fifteen was adopted.

The resolution was adopted.

Leave was granted to Mr. Wright, of Mills, to submit the following report :

MR. SPEAKER:—Your Committee to whom was referred H. F. No. 395, A bill for an act for the relief of the Asylum for Destitute and Orphan Children, at Andrew, Iowa, beg leave to report the same back without recommendation.

WRIGHT, of Mills, *Chairman.*

By leave, Mr. Hovey called up Senate resolution in regard to the election of trustees for the insane asylum, at Independence.

Mr. Caldwell moved that the resolution be postponed.

The motion prevailed.

By leave, Mr. Pratt offered the following resolution :

*Resolved by the House of Representatives, the Senate concurring*, That the Secretary of State be, and is hereby authorized and directed to furnish to the board of immigration for use in the discharge of their official duties, all necessary stationery, paper, and postage, the same to be furnished from time to time as needed, upon the written requisition of the president, countersigned by the secretary of said board.

Mr. Tufts moved so that the resolution shall not apply to the paper on which the pamphlets are printed.

The motion prevailed.

The resolution as amended was adopted.

By leave, Mr. Hilton called up H. F. No. 46, which was taken up and made a special order for Tuesday, April 9th, at two o'clock, P. M.

By leave, Mr. Perkins called up S. F. No. 240, A bill for an act to amend chapter 2, of the acts of the Thirteenth General Assembly, &c.

The bill was taken up and read a first and second time.

Mr. Perkins moved that the rule be suspended, that the bill be considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blake, Blakely, Bliss, Bonewitz, Cadwell, Caldwell, Cardell, Carver, Christoph, Clarke, of Iowa; Crawford, Danforth, Davisson, Day, Dayton, Dumont, Duncombe, Durham, Ericson, Flenniken, Freeman, Gear, Goodspeed, Hall, Hanson, Heberling, Hilton, Hovey, Irish, Johnston, Kasson, Leahy, Lee, Maxwell, McAllister, McCoy, Miller, Mills, Newbold, O'Donnell, Peet, Perkins, Pratt, Reuther, Rice, Rohls, Sandry, Schweer, Secor, Stewart, Stow, Struthers, Tasker, Tufts, Tuttle, Van Deventer, Van Meter, Van Saun, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 69.

The nays were none.

Absent or excused—

Messrs. Appleton, Ballinger, Blackman, Booth, Butler, Campbell, Clark, of Benton; Close, Davis, Draper, Duncan, Ellsworth, Evane, Green, Hanan, Hewett, Hopkirk, Keables, Litzenberg, McClure, Merrell, Paul, Reed, Rule, Skillin, Stedman, Teale, Whitten, Williams, and Wood, of Clay—Total, 31.

So the bill passed and the title was agreed to.

Leave of absence was granted to Messrs. Evans, Blackman, Green, Paul, and Duncan.

The hour having arrived for the consideration of the special order, H. F. No. 345, Mr. Leahy moved that the same be postponed and made a special order for to-morrow at 11 o'clock A. M.

By leave, Mr. Ainsworth introduced H. F. No. 411, A bill for an act fixing the compensation for publishing delinquent tax list.

Read a first and second time, and referred to Committee on Ways and Means.

By leave, Mr. Blakely called up S. F. No. 237, A bill for an act to legalize the incorporation of the town of Drakeville, in Davis county, Iowa, &c.

The bill was taken up and read a first and second time.

Mr. Blakely moved that the rule be suspended, that the bill be considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blake, Blakely, Bliss, Bonewitz, Cadwell, Caldwell, Cardell, Carver, Christoph, Clarke, of Iowa; Crawford, Danforth, Davisson, Day, Dayton, Dumont, Duncombe, Durham, Ericson, Flenniken, Freeman, Gear, Goodspeed, Hall, Hanson, Heberling, Hilton, Hovey, Irish, Johnston, Kasson, Leahy, Lee, Maxwell, McAllister, McCoy, Miller, Mills, Newbold, O'Donnell, Peet, Perkins, Pratt, Reuther, Rice, Rohlf, Sandry, Schweer, Secor, Stewart, Stow, Struthers, Tasker, Tufts, Tuttle, Van Deventer, Van Meter, Van Saun, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 70.

The nays were none.

Absent or excused—

Messrs. Appleton, Ballinger, Blackman, Booth, Butler, Campbell, Clark, of Benton; Close, Davis, Draper, Duncan, Ellsworth, Evans, Green, Hanan, Hewett, Hopkirk, Keables, Litzenberg, McClure, Merrell, Morrison, Paul, Reed, Rule, Skillin, Stedman, Whitten, and Williams—Total, 30.

So the bill passed and the title was agreed to.

By leave, Mr. Carver called up H. F. No. 176, A bill for an act to amend section 1317 of chapter 55, of the Revision of 1860.

The bill, with the substitute reported by the committee, was taken up and considered.

The substitute was adopted.

On motion of Mr. Carver the rule was suspended, the bill was considered engrossed, and read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blake, Blakely, Bliss, Bonewitz, Cadwell, Caldwell, Cardell, Carver, Christoph, Clarke, of Iowa; Crawford, Danforth, Davisson, Day, Dayton, Dumont, Duncombe, Durham, Ericson, Flenniken, Freeman, Gear, Goodspeed, Hall, Hanson, Heberling, Hilton, Irish, Johnston, Kasson, Leahy, Lee, Maxwell, McAllister, McCoy, Miller, Mills, Newbold, O'Donnell, Peet, Perkins, Pratt, Reuther, Rice, Rohlf, Sandry, Schweer, Secor, Stewart, Stow, Tasker, Tufts, Tuttle, Van Deventer, Van Meter, Van Saun, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren, and Mr. Speaker—Total, 69.

The nays were none.

Absent or excused—

Messrs. Appleton, Ballinger, Blackman, Booth, Butler, Campbell, Clark, of Benton; Close, Davis, Draper, Duncan, Ellsworth, Evans, Green, Hanan, Hewett, Hopkirk, Hovey, Keables, Litzenberg, McClure, Merrell, Morrison, Paul, Reed, Rule, Skillin, Stedman, Struthers, Teale, Whitten, and Williams—Total, 31.

So the bill passed and the title was agreed to.

By leave Mr. Van Deventer called up H. F. No. 226, and moved that the same be made a special order for Wednesday, April 10th, at 9:30 A. M.

The motion prevailed.

Mr. Kasson moved to take up the joint resolution in relation to money stolen from the county safes of certain counties.

The motion prevailed and the resolution was taken up and considered.

Mr. Ainsworth moved to amend the resolution as follows: *Provided further*, that the cost of such investigation shall be borne by the county interested therein.

The amendment was adopted.

Mr. Kasson moved to amend as follows: Insert after the clause relating to Bremer county, the words "from the treasury of Winnebago county, six hundred and fifty dollars."

The amendment was adopted.

The resolution as amended, was adopted.

The Speaker announced that the hour for the consideration of H. No. 148 had arrived.

Mr. Leahy moved that the special order be postponed and made a special order for Wednesday, April 10th, at 2 o'clock p. m.

The motion prevailed.

Mr. Lee from Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER:—The Committee on Engrossed Bills ask leave to report that they have examined the following bills, and find the same correctly engrossed:

Substitute for H. F. No. 21, A bill for an act making additional appropriation for Iowa Soldiers' Orphans' Homes.

Also, H. F. No. 327, A bill for an act requiring cities to pay damages in certain cases.

JOHN M. LEE, *for Committee.*

Mr. Kasson moved that all the bills named in the joint resolution in relation to money stolen from county safes of certain counties be laid on the table.

The motion prevailed.

Leave was granted to Mr. Tufts to call up H. F. No. 374, A bill for an act to amend chapter 109, of the acts of the 13th General Assembly, &c.

The amendments recommended by the committee were adopted.

Mr. Tufts moved that the rule be suspended, that the bill be considered engrossed and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blakely, Bliss, Bonewitz, Butler, Caldwell, Cardell, Carver, Christoph, Clarke, of Iowa; Danforth, Davisson, Day, Dayton, Dumont, Durham, Ellsworth, Ericson, Flenniken, Freeman, Gear, Goodspeed, Hall, Hanson, Heberling, Hilton, Hovey, Irish, Johnston, Kasson, Leahy, Lee, Maxwell, McAllister, McCoy, Miller, Mills, Newbold, O'Donnell, Paul, Peet, Perkins, Pratt, Reuther, Rice, Rohlf, Sandry, Schweer, Secor, Stewart, Stow, Struthers, Tasker, Tufts, Tuttle, Van Saun, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 67.

The nays were none.

Absent or excused—

Messrs. Appleton, Ballinger, Blackman, Blake, Booth, Cadwell, Campbell, Clark, of Benton; Close, Crawford, Davis, Draper, Duncan, Duncombe, Evans, Green, Hanan, Hewett, Hopkirk, Keables, Litzenberg, McClure, Merrell, Morrison, Reed, Rule, Skillin, Stedman, Teale, Van Deventer, Van Meter, Whitten and Williams—Total, 33.

So the bill passed and the title was agreed to.

By leave, Mr. Pratt introduced H. F. No. 413, A bill for an act to repeal chapter 13 of the acts of the Eighth General Assembly.

Read a first and second time.

Mr. Pratt moved that the rule be suspended, that the bill be considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Blake, Blakely, Bliss, Butler, Caldwell, Cardell, Carver, Christoph, Close, Crawford, Dayton, Duncombe, Durham, Ellsworth, Ericson, Gear, Goodspeed, Hall, Hanson, Heberling, Hilton, Hovey, Irish, Johnston, Kasson, Leahy, Lee, Maxwell, Miller, Mills, Newbold, O'Donnell, Paul, Perkins, Pratt, Reuther, Rice, Rohlf, Sandry, Schweer, Secor, Stewart, Stow, Struthers, Tufts, Tuttle, Van Deventer, Van Meter, Van Saun,



Wilson, of Keokuk ; Wood, of Clay ; Wood, of Story ; Wright, of Van Buren ; and Mr. Speaker—Total, 58.

The nays were—

Messrs. Clarke, of Iowa ; Danforth, Davisson, Flenniken, Freeman, McCoy, Peet, Tasker, Wilson, of Washington ; and Wright, of Mills—Total, 10.

Absent or excused—

Messrs. Appleton, Ballinger, Bergh, Blackman, Bonewitz, Booth, Cadwell, Campbell, Clark, of Benton ; Close, Davis, Day, Draper, Duncan, Evans, Green, Hanan, Hewett, Hopkirk, Keables, Litzenberg, McAllister, McClure, Merrell, Morrison, Reed, Rule, Skillin, Stedman, Teale, Whitten, and Williams—Total, 32.

So the bill passed and the title was agreed to.

By leave, Mr. Bergh called up S. F. No. 88, A bill for an act to amend chapter 53, of the Revisor of 1860, &c.

The bill was taken up and read a first and second time.

Mr. Bergh moved that the rule be suspended, that the bill be considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Beatty, of Cedar ; Beatty, of Jasper ; Beresheim, Bergh, Blake, Blakely, Bliss, Bonewitz, Butler, Cadwell, Caldwell, Cardell, Carver, Christoph, Clarke, of Iowa ; Crawford, Danforth, Day, Draper, Dumont, Duncombe, Durham, Ellsworth, Ericson, Flenniken, Freeman, Gear, Hall, Hanson, Heberling, Hilton, Hovey, Irish, Johnston, Kasson, Leahy, Lee, Maxwell, McAllister, McCoy, Miller, Mills, Newbold, O'Donnell, Paul, Peet, Perkins, Pratt, Renther, Rice, Rohlf, Sandry, Schweer, Secor, Stewart, Stow, Struthers, Tasker, Tufts, Tuttle, Van Deventer, Van Meter, Van Saun, Wilson, of Keokuk ; Wilson, of Washington ; Wood, of Clay ; Wood, of Story ; Wright, of Mills ; Wright, of Van Buren ; and Mr. Speaker—Total, 71.

The nays were—Mr. Goodspeed—Total, 1.

Absent or excused—

Messrs. Appleton, Ballinger, Blackman, Booth, Campbell, Clark, of Benton ; Close, Davis, Davisson, Dayton, Duncan, Evans, Green, Hanan, Hewett, Hopkirk, Keables, Litzenberg, McClure, Merrell, Morrison, Reed, Rule, Skillin, Stedman, Teale, Whitten, and Williams—Total, 28.

So the bill passed and the title was agreed to.

By leave, Mr. Kasson offered the following resolution :

*Resolved, by the House of Representatives, the Senate concurring,* That the Governor be requested to postpone the day for the execution of the prisoner Stanley until the General Assembly shall have

finally acted upon the bill now pending in respect to the abolition of the penalty of death.

The resolution was adopted.

Mr. Newbold from the Committee on Schools, submitted the following report :

MR. SPEAKER:—Your Committee on Schools, to whom was referred a resolution instructing the Committee on Schools to inquire into the expediency of allowing all persons to attend our common schools, without regard to their age, free of tuition, and to report by bill or otherwise, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House that in the opinion of said committee it would be inexpedient to so charge the school law.

Also, H. F. No. 267, A bill for an act to legalize the acts of the board of directors of the district township of Delaware, Polk county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the motion to reconsider be laid on the table.

Also, S. F. No. 212, A bill for an act to legalize the acts of the board of directors of the independent school district of Blakesburg, Wapello county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

J. G. NEWBOLD, *Chairman.*

Mr. Carver moved to take up S. F. No. 212, A bill for an act to legalize the acts of the Board of directors of the independent school district of Blakesburg, in Wapello county, Iowa.

The bill was read a first and second time.

Mr. Carver moved that the rule be suspended, that the bill be considered, engrossed and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were —

Messrs. Ainsworth, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blake, Blakely, Bliss, Bonewitz, Cadwell, Caldwell, Carver, Christoph, Clarke, of Iowa; Crawford, Danforth, Day, Dayton, Duncombe, Durham, Ellsworth, Ericson, Flenniken, Freeman, Gear, Goodspeed, Hall, Hanson, Heberling, Hilton, Hovey, Irish, Johnston, Kasson, Leahy, Lee, Maxwell, McAllister, McCoy, Mills, Newbold, O'Donnell, Paul, Peet, Perkins, Pratt, Reuther, Rice, Rohlf, Sandry, Schweer, Secor, Stewart, Stow, Struthers, Tasker, Teale, Tufts, Tuttle, Van Deventer, Van Meter, Van Saun, Wilson, of Keokuk; Wilson, of Washington;

Wood, of Clay; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 68.

The nays were none.

Absent or excused—

Messrs. Appleton, Ballinger, Blackman, Booth, Butler, Campbell, Cardell, Clark, of Benton; Close, Davis, Davisson, Draper, Dumont, Duncan, Evans, Green, Hanan, Hewett, Hopkirk, Keables, Litzenberg, McClure, Merrell, Miller, Morrison, Reed, Rule, Skillin, Stedman, Whitten, Williams, and Wood, of Story—Total, 32.

So the bill passed and the title was agreed to.

Mr. Wood, of Clay moved to take up H. F. No. 403, A bill for an act to legalize the official acts of John L. Robinson, a Justice of the Peace of Holman township, Osceola county, Iowa.

The motion prevailed.

Mr. Wood, of Clay, moved that the rule be suspended, that the bill be considered engrossed and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blake, Blakely, Bliss, Bonewitz, Caldwell, Carver, Christoph, Clarke, of Iowa; Crawford, Day, Dayton, Duncombe, Durham, Ellsworth, Ericson, Flenniken, Freeman, Gear, Goodspeed, Hall, Hanson, Heberling, Hilton, Hovey, Irish, Johnston, Kasson, Leahy, Lee, Maxwell, McAllister, McCoy, Newbold, O'Donnell, Paul, Peet, Perkins, Pratt, Renther, Rice, Rohlf, Sandry, Schweer, Secor, Stewart, Stow, Struthers, Tasker, Teale, Tufts, Tuttle, Van Deventer, Van Saun, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 65.

The nays were—Mr. Danforth—Total, 1.

Absent or excused—

Messrs. Appleton, Ballinger, Blackman, Booth, Butler, Cadwell, Campbell, Cardell, Clark, of Benton; Close, Davis, Davisson, Draper, Dumont, Duncan, Evans, Green, Hanan, Hewett, Hopkirk, Keables, Litzenberg, McClure, Merrell, Miller, Mills, Morrison, Reed, Rule, Skillin, Stedman, Van Meter, Whitten, and Williams—Total, 84.

So the bill passed, and the title was agreed to.

Mr. Newbold moved to take up the motion to reconsider the vote by which the House passed H. F. No. 267, and moved that the same be laid upon the table.

The motion prevailed.

Mr. Secor moved to call up H. F. No. 385, A bill for an act to

legalize the acts of the board of supervisors of Hancock county, Iowa, &c.

The motion prevailed.

The bill was taken up and considered.

Mr. Secor moved that the rule be suspended, that the bill be considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blake, Blakely, Bliss, Bonewitz, Butler, Cadwell, Caldwell, Cardell, Carver, Christoph, Clarke, of Iowa; Crawford, Danforth, Day, Dayton, Duncombe, Durham, Ellsworth, Ericson, Flenniken, Freeman, Gear, Goodspeed, Hall, Hanson, Heberling, Hilton, Hovey, Irish, Kasson, Leahy, Lee, McAllister, McCoy, Miller, Paul, Peet, Perkins, Pratt, Reuther, Rice, Rohlf, Sandry, Schweer, Secor, Stewart, Stow, Struthers, Tasker, Tufts, Tuttle, Van Deventer, Van Meter, Van Saun, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren, and Mr. Speaker—Total, 66.

The nays were none.

Absent or excused—

Messrs. Appleton, Ballinger, Blackman, Booth, Campbell, Clark, of Benton; Close, Davis, Davisson, Draper, Dumont, Duncan, Evans, Green, Hanan, Hewett, Hopkirk, Johnston, Keables, Litzenberg, Maxwell, McClure, Merrell, Mills, Morrison, Newbold, O'Donnell, Reed, Rule, Skillin, Stedman, Teale, Whitten, and Williams—Total, 34.

So the bill passed and the title was agreed to.

By leave, Mr. Wright, of Van Buren, called up H. F. No. 143, A bill for an act to require the cultivators of osage hedge to trim the same.

The bill with the substitute recommended by the committee was taken up and considered.

Mr. Kasson moved to amend section one of the substitute by inserting: "Nor to any hedge on account of which property is not exempt from taxation."

The amendment was adopted.

The substitute was adopted.

The bill was ordered to be engrossed and read a third time.

Mr. Rohlf moved that the rule be suspended, the bill considered engrossed and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Beresheim, Bonewitz, Cadwell, Cardell, Carver, Clarke, of Iowa; Danforth, Day, Durham, Elsworth, Freeman, Heberling, Irish, Kasson, Lee, McCoy, Mills, Newbold, O'Donnell, Peet, Pratt, Rohlf, Schweer, Secor, Stewart, Tasker, Tufts, Tuttle, Van Deventer, Van Meter, Van Saun, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wright, of Mills; Wright, of Van Buren, and Mr. Speaker—Total, 36.

The nays were—

Messrs. Ainsworth, Beatty, of Cedar; Beatty, of Jasper; Bergh, Blake, Blakely, Bliss, Butler, Christoph, Crawford, Duncombe, Flenniken, Gear, Goodspeed, Hall, Hanson, Hilton, Hovey, Johnston, Leahy, Miller, Paul, Perkins, Reuther, Rice, Sandry, Stow, Struthers, Teale, and Wood, of Story—Total, 31.

Absent or excused—

Messrs. Appleton, Ballinger, Blackman, Booth, Cadwell, Campbell, Clark, of Benton; Close, Davis, Davisson, Dayton, Draper, Dumont, Duncan, Ericson, Evans, Green, Hanan, Hewett, Hopkirk, Keables, Litzenberg, Maxwell, McAllister, McClure, Merrell, Morrison, Reed, Rule, Skillin, Stedman, Whitten, and Williams—Total, 23.

So the bill not receiving a constitutional majority was lost.

Leave was granted to Mr. Wilson, of Washington, to submit report with accompanying bill, H. F. No. 414.

MR. SPEAKER:—Your Committee on Claims, to whom was referred petition and claim of George W. Carver, of Allamakee county, State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the following bill, with the recommendation that the bill do pass.

J. Q. TUFTS, *Chairman*.

H. F. No. 414, A bill for an act for the relief of George W. Carver, of Allamakee county, was read a first and second time, and passed on file.

Leave was granted to Mr. Wood, of Clay, to call up H. F. No. 391, A bill for an act to legalize the tax in Emmet county, Iowa, for making and repairing bridges.

The bill was taken up and considered.

Mr. Wood, of Clay, moved that the rule be suspended, that the bill be considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Beatty of Cedar; Beatty of Jasper; Beresheim, Bergh, Blakely, Bliss, Bonewitz, Butler, Caldwell, Car-

dell, Carver, Christoph, Clarke of Iowa; Crawford, Danforth, Davisson, Dayton, Duncombe, Durham, Ellsworth, Ericson, Flenniken, Freeman, Gear, Goodspeed, Hall, Hanson, Heberling, Irish, Johnston, Kasson, Leahy, Lee, Maxwell, McAllister, McCoy, Miller, Mills, Newbold, O'Donnell, Paul, Peet, Perkins, Pratt, Reuther, Rice, Rohlf, Sandry, Schweer, Secor, Stewart, Stow, Struthers, Teale, Tufts, Tuttle, Van Meter, Van Sann, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; and Mr. Speaker—Total, 65.

The nays were—

Messrs. Hilton, and Wright, of Van Buren—Total, 2.

Absent or excused—

Messrs. Appleton, Ballinger, Blackman, Blake, Booth, Cadwell, Campbell, Clark, of Benton; Close, Davis, Day, Draper, Dumont, Duncan, Evans, Green, Hanan, Hewett, Hopkirk, Hovey, Keables, Litzenberg, McClure, Merrell, Morrison, Reed, Rule, Skillin, Stedman, Tasker, Van Deventer, Whitten, and Williams—Total, 33.

So the bill passed and title was agreed to.

By leave, Mr. Duncombe called up H. F. No. 289, A bill for an act to provide for the publication of such laws as the Census Board may designate, &c.

The bill was taken up and considered.

Mr. Ericson moved to amend the first section by inserting "one of which shall be published at the county seat."

The motion prevailed.

Mr. Duncombe moved that the rule be suspended, that the bill be considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blake, Bliss, Bonewitz, Butler, Caldwell, Cardell, Carver, Christoph, Clarke, of Iowa; Danforth, Davisson, Dayton, Duncombe, Durham, Ericson, Flenniken, Freeman, Gear, Goodspeed, Hanson, Heberling, Hilton, Irish, Kasson, Lee, Miller, Mills, Newbold, O'Donnell, Paul, Peet, Perkins, Pratt, Reuther, Rohlf, Sandry, Stow, Struthers, Tasker, Teale, Tufts, Tuttle, Van Deventer, Van Meter, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 45.

The nays were—

Messrs. Ausworth, Blakely Crawford, Day, Ellsworth, Johnston, Leahy, Maxwell, McAllister, McCoy, Rice, Schweer, Secor, Stewart, and Van Sann—Total, 15.

Absent or excused—

Messrs. Appleton, Ballinger, Blackman, Booth, Cadwell, Campbell, Clark, of Benton; Close, Davis, Draper, Dumont, Duncan, Evans, Green, Hall, Hanan, Hewett, Hopkirk, Hovey, Keables, Litzenberg, McClure, Merrell, Morrison, Reed, Rule, Skillin, Stedman, Whitten, and Williams—Total, 40.

So the bill passed and the title was agreed to.

By leave, Mr. Stow submitted the following report :

MR. SPEAKER :—Your Committee on Judiciary, to whom was referred substitute for S. F. No. 47, A bill for an act requiring that conditional sales of personal property be executed, acknowledged, and recorded, etc., beg leave to report that they have had the same under consideration, and a majority have instructed me to report the same back to the House with the recommendation that it be amended as recommended herein, and as so amended that it pass.

1st. Strike out all after the enacting clause, and enact the following:

“That no sale, contract, or lease wherein the transfer of title or ownership of personal property is made to depend upon any condition, shall be valid against any creditor or purchaser of the vendee or lessee in actual possession, without notice; unless the same is in writing executed by the vendor or lessor, acknowledged and recorded the same as chattel mortgages.

Section 2. This act being deemed by the General Assembly of immediate importance, shall take effect and be in force from and after its publication in the *Daily State Register* and the *Daily State Leader*, newspapers published at Des Moines, Iowa.

W. A. STOW.

Leave was granted to Mr. Wright, of Mills, to introduce H. F. No. 415, A bill for an act to authorize the sale of certain lands donated to the State for the use of the Iowa Soldiers' Orphans' Homes.

Read a first and second time, and referred to the Committee on Judiciary.

The hour of 12 M. having arrived, the Speaker declared the House adjourned.

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TWO O'CLOCK, P. M.

The Speaker called the House to order.

Mr. Heberling moved to take up S. F. No. 27, A bill for an act to regulate the manufacturing, keeping, and sale of certain oils.

The motion prevailed.



The bill was read a first and second time.

Mr. Heberling moved that the rule be suspended, that the bill be considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Beatty, of Cedar; Beresheim, Bergh, Blake, Bliss, Bonewitz, Butler, Caldwell, Cardell, Carver, Christoph, Clarke, of Iowa; Crawford, Davisson, Day, Dayton, Flenniken, Freeman, Gear, Goodspeed, Hall, Hanson, Heberling, Irish, Johnston, Keables, Leahy, Lee, McAllister, McCoy, Newbold, O'Donnell, Peet, Perkins, Pratt, Reuther, Rice, Rohlf, Sandry, Schweer Secor, Stow, Struthers, Tasker, Tufts, Van Deventer, Van Meter, Van Sann, Wilson, of Washington; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 53.

The nays were—

Messrs. Blakely and Hilton—Total, 2.

Absent or excused—

Messrs. Appleton, Ballinger, Beatty, of Jasper; Blackman, Booth, Cadwell, Campbell, Clark, of Benton; Close, Danforth, Davis, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Green, Hanan, Hewett, Hopkirk, Hovey, Kasson, Litzenberg, Maxwell, McClure, Merrell, Miller, Mills, Morrison, Paul, Reed, Rule, Skillin, Stedman, Stewart, Teale, Tuttle, Whitten, Williams, Wilson, of Keokuk; Wood, of Clay; and Wood, of Story—Total, 45.

So the bill passed and the title was agreed to.

Mr. Secor moved to take up H. F. No. 369, A bill for an act to legalize the incorporation of the town of Clear Lake, Cerro Gordo county, Iowa.

The motion prevailed.

The bill was taken up and considered.

Mr. Secor moved that the rule be suspended, that the bill be considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blake, Blakely, Bliss, Bonewitz, Butler, Caldwell, Cardell, Carver, Christoph, Clarke, of Iowa; Crawford, Danforth, Davisson, Day, Dayton, Draper, Duncombe, Durham, Ellsworth, Ericson, Flenniken, Freeman, Gear, Goodspeed, Hall, Hanson, Heberling, Hilton, Irish, Johnston, Keables, Leahy, Lee, Maxwell, McAllister, McCoy, Mills, Newbold, O'Donnell, Peet, Perkins,

Pratt, Reuther, Rice, Rohlf, Sandry, Schweer, Secor, Stow, Struthers, Tasker, Tufts, Van Deventer, Van Meter, Van Saun, Wilson, of Keokuk; Wilson, of Washington; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker---Total, 65.

The nays were none.

Absent or excused—

Messrs. Appleton, Ballinger, Blackman, Booth, Cadwell, Campbell, Clark, of Benton; Close, Davis, Dumont, Duncan, Evans, Green, Hanan, Hewett, Hopkirk, Hovey, Kasson, Litzenberg, McClure, Merrell, Miller, Morrison, Paul, Reed, Rule, Skillin, Stedman, Stewart, Teale, Tuttle, Whitten, Williams, Wood, of Clay; and Wood, of Story—Total, 35.

So the bill passed and the title was agreed to.

Mr. Lee moved to reconsider the vote by which the House passed H. F. No. 289, A bill providing for the publication of such laws as the Census Board shall designate in the newspapers of the State, &c.

Mr. Duncombe moved to lay the motion on the table, and on the motion demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Beresheim, Blake, Bliss, Bonewitz, Caldwell, Cardell, Christoph, Clarke, of Iowa; Duncombe, Ericson, Flenniken, Hilton, Irish, McAllister, Mills, O'Donnell, Paul, Peet, Perkins, Pratt, Reuther, Rohlf, Secor, Stow, Struthers, Tasker, Tufts, Van Deventer, Wilson, of Washington; and Wood, of Clay—Total, 29.

The nays were—

Messrs. Ainsworth, Beatty, of Cedar; Beatty, of Jasper; Bergh, Blakely, Butler, Cadwell, Crawford, Danforth, Day, Dayton Draper, Durham, Ellsworth, Freeman, Gear, Goodspeed, Hall, Hanson, Heberling, Johnston, Keables, Leahy, Lee, Maxwell, McCoy, Newbold, Rice, Rule, Sandry, Schweer, Stewart, Van Meter, Van Saun, Wilson, of Keokuk; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 38.

Absent or excused—

Messrs. Appleton, Ballinger, Blackman, Booth, Campbell, Carver, Clark, of Benton; Close, Davis, Davisson, Dayton, Dumont, Duncan, Evans, Green, Hanan, Hewett, Hopkirk, Hovey, Kasson, Litzenberg, McClure, Merrell, Miller, Morrison, Reed, Skillin, Stedman, Teale, Tuttle, Whitten, Williams, and Wood, of Story—Total, 38.

So the motion was not laid on the table.

Mr. Lee moved that the consideration of the motion be postponed until next Thursday at 10 o'clock, A. M., and made a special order for that hour.

The motion prevailed.

By leave, Mr. Bliss called up H. F. No. 364, A bill for an act to legalize the incorporation of the town of Ackley, &c.

The bill was taken up and considered.

Mr. Bliss moved that the rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blake, Blakely, Bliss, Bonewitz, Butler, Caldwell, Cardell, Carver, Christoph, Clarke, of Iowa; Crawford, Danforth, Davison, Day, Dayton, Draper, Durcombe, Durham, Ellsworth, Ericson, Flenniken, Freeman, Gear, Goodspeed, Hall, Hanson, Heberling, Hilton, Irish, Johnston, Kasson, Keables, Leahy, Lee, Maxwell, McCoy, Miller, Newbold, O'Donnell, Paul, Peet, Perkins, Pratt, Renther, Rice, Rohlf, Sandry, Schweer, Secor, Stewart, Stow, Struthers, Tasker, Tutts, Tuttle, Van Deventer, Van Meter, Van Sann, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren, and Mr. Speaker—Total, 70.

The nays were none.

Absent or excused—

Messrs. Appleton, Ballinger, Blackman, Booth, Cadwell, Campbell, Clark, of Benton; Close, Davis, Dumont, Duncan, Evans, Green, Hanan, Hewett, Hopkirk, Hovey, Litzenberg, McAllister, McClure, Merrell, Mills, Morrison, Reed, Rule, Skillin, Stedman, Teale, Whitten, and Williams—Total, 30.

So the bill passed, and the title was agreed to.

#### REPORTS OF COMMITTEES.

Mr. Pratt, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 359, A bill for an act authorizing cities, incorporated towns and villages to construct, or cause to be constructed, water-works, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to House with the recommendation that it be amended as follows:

1st. Strike out of the third line, in the fifth section, the word "exclusive," and insert in lieu thereof the words "to endure."

2d. By adding two sections, hereto annexed, to follow section five in the bill.

And that as so amended the bill do pass.

HALL, *for the Committee.*

On motion of Mr. Maxwell, S. F. No. 232, A bill for an act to le-

galize the acts of the independent school district of Grand Junction, Iowa, was taken up and read a first and second time.

Mr. Maxwell moved that the rule be suspended and the bill be considered engrossed and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blake, Blakely, Bliss, Bonewitz, Butler, Caldwell, Carver, Christoph, Clarke, of Iowa; Crawford, Danforth, Day, Draper, Duncombe, Durham, Ellsworth, Ericson, Flenniken, Freeman, Gear, Goodspeed, Hall, Hanson, Heberling, Hilton, Irish, Johnston, Kasson, Keables, Leahy, Lee, Maxwell, McAllister, McCoy, Mills, Newbold, O'Donnell, Paul, Peet, Perkins, Pratt, Rice, Rohlf, Sandry, Schweer, Secor, Stewart, Stow, Struthers, Tasker, Tufts, Tuttle, Van Deventer, Van Meter, Van Saun, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 67.

The nays were none.

Absent or excused—

Messrs. Appleton, Ballinger, Blackman, Booth, Cadwell, Campbell, Cardell, Clark, of Benton; Close, Davis, Davisson, Dayton, Dumon, Duncan, Evans, Green, Hanan, Hewett, Hopkirk, Hovey, Litzenberg, McClure, Merrell, Miller, Morrison, Reed, Renter, Role, Skillin, Stedman, Teale, Whitten, and Williams—Total, 33.

So the bill passed and the title was agreed to.

On motion of Mr. Ainsworth, H. F. No. 311, A bill for an act to add a section to chapter 118 of the Revision of 1860, with report of committee recommending substitute, was taken up and considered.

The substitute was adopted.

Mr. Ainsworth moved that the rule be suspended, that the bill be considered engrossed, and read a third time now, which prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blake, Blakely, Bliss, Bonewitz, Butler, Cardell, Carver, Christoph, Crawford, Danforth, Davisson, Day, Dayton, Draper, Duncombe, Durham, Ellsworth, Ericson, Flenniken, Freeman, Gear, Goodspeed, Hall, Hanson, Heberling, Hilton, Irish, Johnston, Kasson, Keables, Leahy, Lee, Maxwell, McAllister, McCoy, Miller, Mills, Newbold, O'Donnell, Paul, Peet, Perkins, Pratt,

Reuther, Rice, Rohlf, Sandry, Schweer, Secor, Stewart, Stow, Struthers, Tasker, Tufts, Tuttle, Van Deventer, Van Meter, Van Saun, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; and Wright, of Van Buren—Total, 69.

The nays were—Mr. Speaker.—Total, 1.

Absent or excused—

Messrs. Appleton, Ballinger, Blackman, Booth, Cadwell, Caldwell, Campbell, Clark, of Benton; Clarke, of Iowa; Close, Davis, Dumont, Duncan, Evans, Green, Hanan, Hewett, Hopkirk, Hovey, Litzenberg, McClure, Merrell, Morrison, Reed, Rule, Skillin, Stedman, Teale, Whitten and Williams.—Total, 30.

So the bill passed and the title was agreed to.

On motion of Mr. Tuttle S. F. No. 160, A bill for an act to provide for locating, establishing, and constructing ditches, drains and water courses, was taken up, and read a first and second time, and referred to Committee on Judiciary.

On motion of Mr. Kasson, H. F. No. 264, A bill for an act to amend sub-division 2, of section 742, of the Revision of 1860, &c., with report of Committee recommending substitute, was taken up and considered.

Mr. Heberling moved to amend as follows:

“And in case where a tax has been voted, assessed, and collected, in whole or in part, and not paid over to the railroad company, the excess so collected over and above the assessment, as equalized by the board of supervisors, shall be refunded to the person from whom the same was collected.”

The amendment was adopted.

Mr. Dayton moved to amend as follows:

“*Provided*, That no such tax shall be collected that has been voted in aid of any railroad where there has been no work done on said road for two years after voting of the tax, to the amount of such voted and levied tax, but that such tax shall be null and void.”

The amendment was not adopted.

Mr. Hall moved to amend by adding to section 2 the following words: “Unless such State board of equalization reduces such valuation, in which event said taxes shall be levied upon said latter valuation.”

The motion did not prevail.

Mr. Ainsworth moved to amend by striking out the words “been collected,” and insert the words “become due.”

The motion did not prevail.

The substitute was not adopted.

Mr. Kasson moved to reconsider the vote by which the substitute was lost.

Mr. Tufts moved to lay the motion on the table.

The motion did not prevail.

The motion to reconsider did not prevail.

Mr. Kasson moved as a substitute for the original bill the first section of the bill.

Mr. Davisson moved that the bill be referred to the Judiciary Committee.

The motion prevailed.

Mr. Beresheim offered the following resolution :

*Resolved by the House of Representatives, the Senate concurring,* That the amount allowed for stationery to each member of this General Assembly shall be two dollars per week; in accordance with law.

*Provided,* That if the Secretary of State has not such stationery as desired by members, the Auditor of State is hereby authorized and instructed to issue a warrant on the Treasurer of State for the amount due such members.

The resolution was adopted.

Mr. Irish, by leave, introduced H. F. No. 416, A bill for an act providing for the perfecting of tax titles.

Read a first and second time, and referred to Judiciary Committee, and made a special order for Friday, April 12th, at 3 o'clock P. M.

On motion of Mr. Van Deventer, S. F. No. 245, A bill for an act to legalize the election of school directors of the independent school district of Camanche City, Iowa, was taken up and considered.

The bill was read a first and second time.

Mr. Van Deventer moved that the rule be suspended and the bill be considered engrossed and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blake, Blakely, Bliss, Bonewitz, Butler, Cardell, Carver, Christoph, Clarke, of Iowa; Crawford, Danforth, Davisson, Day, Dayton, Draper, Duncombe, Durham, Ellsworth, Ericson, Flenniken, Gear, Goodspeed, Hall, Hanson, Heberling, Hilton, Irish, Johnston, Kasson, Leahy, Lee, McAllister, McCoy, Mills, Newbold, O'Donnell, Paul, Peet, Perkins, Pratt, Reuther, Rice, Sandry, Schweer, Secor, Stewart, Stow, Struthers, Tasker, Tufts, Tuttle, Van Deventer, Van Sann, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 65.

The nays were—Mr. Van Meter—Total, 1.

Absent or excused—

Messrs. Appleton, Ballinger, Blackman, Booth, Cadwell, Caldwell, Campbell, Clarke, of Benton; Close, Davis, Dumont, Duncan, Evans, Freeman, Green, Hanan, Hewett, Hopkirk, Hovey, Keables, Litzenberg, Maxwell, McClure, Merrill, Miller, Morrison,



Reed, Rule, Skillin, Stedman, Teale, Van Meter, Whitten and Williams.—Total, 34.

So the bill passed and the title was agreed to.

On motion of Mr. Wood, of Clay, H. F. No. 71, A bill for an act, &c., was taken up and referred to Committee on Judiciary.

On motion of Mr. O'Donnell S. F. No. 136, A bill for an act to provide for surveying lands or lots, in certain cases, was taken up with the report of the Committee recommending its passage, and considered.

The House ordered the bill engrossed for a third reading.

Mr. O'Donnell moved that the rule be suspended and the bill be considered, engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blake, Bliss, Bonewitz, Butler, Caldwell, Cardell, Carver, Christoph, Crawford, Danforth, Davisson, Day, Dayton, Draper, Duncombe, Durham, Ellsworth, Ericson, Flenniken, Freeman, Gear, Goodspeed, Hall, Hanson, Heberling, Hilton, Hovey, Irish, Johnston, Kasson, Keables, Leahy, Lee, McAllister, McCoy, Miller, Mills, Newbold, O'Donnell, Paul, Peet, Perkins, Pratt, Reuther, Rice, Schweer, Secor, Stewart, Stow, Struthers, Tasker, Teale, Tufts, Tuttle, Van Meter, Van Saun, Wilson, of Keokuk; Wood, of Clay; Wood, of Story; Wright, of Mills; and Wright, of Van Buren—Total, 66.

The nays were—

Messrs. Blakely, Clarke, of Iowa; and Mr. Speaker—Total, 3.

Absent or excused—

Messrs. Appleton, Ballinger, Blackman, Booth, Cadwell, Campbell, Clarke, of Benton; Close, Davis, Dumont, Duncan, Evans, Green, Hanan, Hewett, Hopkirk, Litzenberg, Maxwell, McClure, Merrell, Morrison, Reed, Rohlf, Rule, Sandry, Skillin, Stedman, Van Deventer, Whitten, Williams, and Wilson, of Washington—Total, 31.

So the bill passed and the title was agreed to.

The Speaker announced as committee to arrange and classify bills on files, Messrs. Pratt, Kasson, Newbold, Close, Keables, Green, Williams, Tufts, Caldwell, Hewett, Beresheim, Bonewitz, Irish, Dumont, and Heberling.

On motion of Mr. Teale, S. F. No. 65, A bill for an act to repeal chapter 165, of the acts of the Thirteenth General Assembly, with report of Committee recommending its passage, was taken up and considered.

The bill was ordered to be engrossed for a third reading.

On motion of Mr. Heberling H. F. No. 88, A bill for an act to amend chapter 1088, of the Revision of 1860, &c., was taken up.



The bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Ainsworth, Beatty, of Cedar ; Beatty, of Jasper ; Beresheim, Bergh, Blake, Blakely, Bliss, Bonewitz, Butler, Caldwell, Cardell, Christoph, Crawford, Davisson, Dayton, Draper, Duncombe, Durham, Ellsworth, Ericson, Flenniken, Freeman, Gear, Goodspeed, Hall, Hanson, Heberling, Kasson, Keables, Leahy, McAllister, Miller, Mills, Newbold, Paul, Peet, Perkins, Renter, Rice, Sandry, Secor, Stow, Struthers, Teale, Tuttle, Van Meter, Van Sann, Williams, Wilson, of Keokuk ; Wilson, of Washington ; Wood, of Clay ; Wright, of Mills ; Wright, of Van Buren ; and Mr. Speaker—Total, 55.

The nays were—

Messrs. Danforth, Day, Hilton, Hovey, Johnston, Lee, McCoy, Schweer, Stewart, Tasker, and Tufts—Total, 11.

Absent or excused—

Messrs. Appleton, Ballinger, Blackman, Booth, Cadwell, Campbell, Carver, Clark, of Benton ; Clarke, of Iowa ; Close, Davis, Dumont, Duncan, Evans, Green, Hanan, Hewatt, Hopkirk, Irish, Litzenberg, Maxwell, McClure, Merrell, Morrison, O'Donnell, Pratt, Reed, Rohlf, Rule, Skillin, Stedman, Van Deventer, Whitten, Williams, and Wood, of Story—Total, 34.

So the bill passed and the title was agreed to.

By leave, Mr. Blake introduced H. F. No. 417, A bill for an act to transfer certain swamp land warrants of Cherokee county, Iowa, to county warrants.

Read a first and second time, and referred to Committee on Judiciary.

On motion of Mr. Keables, H. F. No. 133, A bill for an act to protect the insane, with report of Committee recommending a substitute, was taken up and considered.

Mr. Keables moved to insert a new section before the publication clause, as follows: "At least one of such committee shall visit the asylum once in three months."

Mr. Blakely moved to amend the amendment by inserting "once in each month."

The motion prevailed.

The amendment, as amended, was adopted.

Mr. Keables moved to add one additional section as follows :

"Each member of such committee shall receive five dollars per day for each day employed in visiting the asylum, and the same mileage allowed members of the General Assembly."

The motion prevailed.

Mr. Miller moved to amend section 2 by inserting after the word "be," in the first line, the word "kept."

The amendment was adopted.

Mr. Stow moved to strike out sections 2, 3, 4, 5, and 7.

The amendment was not adopted.

Mr. Ainsworth moved to amend section 3 by adding the words "provided they request the same, and are in such condition to be safely entrusted with the same."

Mr. Van Deventer, from Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER:—The Committee on Enrolled Bills ask leave to report that they have examined the following bill and find the same correctly enrolled :

H. F. No. 346, A bill for an act to provide for taking the census in the year 1873.

Also, H. F. No. 197, A bill for an act making counties responsible for the collection and payment of school fund interest, &c.

Also, H. F. No. 170, A bill for an act relinquishing an escheat in Des Moines county, Iowa, to John Parrott.

J. VAN DEVENTER, *Chairman.*

The hour of adjournment having arrived the Speaker declared the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, April 9th, 1872. }

House convened pursuant to adjournment.

The Speaker in the Chair.

Prayer by Hon. I. Blakely.

The Journal of yesterday read and approved.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following bills, in which the concurrence of the House is asked.

S. F. No. 215, A bill for an act to amend chapter 148 of the acts of the Thirteenth General Assembly.

Substitute for S. F. No. 125, A bill for an act to protect the credit of counties and municipal corporations.

S. F. No. 137, A bill for an act to prevent the unlawful driving off any cattle or other stock from the premises of any citizen of this State, or from their lawful range.

S. F. No. 151, A bill for an act to amend chapter 172 of the acts

of the Ninth General Assembly, passed April 8th, 1862, in relation to Schools; also, chapter fifty-seven, laws of the Tenth General Assembly.

S. F. No. 186, A bill for an act fixing the compensation of members of the General Assembly, and of officers and employees thereof.

S. F. No. 248, A bill for an act to legalize the organization of the town of Ames, Story county, Iowa.

S. F. No. 247, A bill for an act making valid certain deeds for town lots in the town of Sigourney.

I am also directed to inform your honorable body that the Senate has passed without amendment H. F. No. 26, A bill for an act to amend chapter 86 of the acts of the Tenth General Assembly of Iowa, approved March 28th, 1864, and legalizing contracts made within the limits of this act.

H. F. No. 19, A bill for an act authorizing the appointment of deputy county auditors.

H. F. No. 402, A bill for an act to legalize certain acts of E. C. Mount, as auditor of Guthrie county, Iowa.

Also, H. F. No. 347, A bill for an act requiring the publication of the receipts and disbursements of the funds of independent school districts, and estimates for the future maintenance of the same, with the following amendment: Insert the words "and building" before the word "purpose" and after the word "school" in the first section. In which amendment the concurrence of the House is respectfully asked.

J. A. T. HULL, *Secretary*.

On motion of Mr. Pratt, S. F. No. 139, A bill for an act to legalize certain bonds issued by the board of directors of the independent school district of Nashua, Chickasaw county, Iowa, the report of the Committee was taken up and considered.

The bill was ordered to be engrossed, and to be read a third time.

Mr. Pratt moved that the rule be suspended, that the bill be considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Blakely, Bliss, Bonewitz, Butler, Cadwell, Caldwell, Cardell, Carver, Clark, of Benton; Olose, Crawford, Davisson, Draper, Dumont, Duncombe, Ellsworth, Ericson, Gear, Goodspeed, Hanson, Heberling, Hewett, Irish, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, Maxwell, McClure, Mills, Newbold, O'Donnell, Paul, Peet, Perkins, Pratt, Rule, Secor, Stedman, Struthers, Tasker, Van

Saun, Williams, Wilson, of Keokuk; Wood, of Clay; Wood, of Story; and Mr. Speaker—Total, 53

The nays were—

Messrs. Bergh, Blake, Christoph, Danforth, Davis, Day, Duncan, Durham, Evans, Freeman, Green, Hilton, Hopkirk, Hovey, McAllister, Merrell, Reed, Rice, Sandry, Schweer, Stewart, Stow, Tufts, Van Deventer, Van Meter, Wilson, of Washington; Wright, of Mills, and Wright, of Van Buren—Total, 28.

Absent or excused—

Messrs. Ainsworth, Appleton, Blackman, Booth, Campbell, Clarke, of Iowa; Dayton, Flenniken, Hall, Hanan, McCoy, Miller, Morrison, Reuther, Rohlfis, Skillin, Teale, Tuttle, and Whitten—Total, 19.

So the bill passed and the title was agreed to.

By leave Mr. Wood, of Clay, offered the following resolution :

*Resolved by the House of Representatives, the Senate concurring,* That the reporters of the House and Senate be allowed to receive a warrant for any undrawn stationery due them under the resolution of the House and Senate, and the Auditor of State is hereby authorized and directed to issue his warrant on the Treasurer accordingly, upon the presentation of the certificate of the Secretary of State of the proper amount.

Mr. Caldwell moved that the resolution be referred to the Committee on Compensation of Public Officers.

The motion did not prevail.

The resolution was adopted.

The hour having arrived for the consideration of H. F. No. 265, A bill for an act entitled an act to provide for a State capitol, &c.

Mr. Kasson moved that the special order be now taken up.

The motion prevailed.

The question recurring on the Senate amendment, the yeas and nays were as follows :

The yeas were—

Messrs. Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Blake, Bonewitz, Butler, Cadwell, Cardell, Clark, of Benton; Clarke, of Iowa; Close, Davis, Davisson, Draper, Ellsworth, Ericson, Evans, Freeman, Gear, Green, Hall, Hanson, Heberling, Hewett, Hilton, Hovey, Irish, Johnston, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, Merrill, Miller, Mills, Newbold, Paul, Perkins, Rice, Rohlfis, Stedman, Teale, Tuttle, Van Meter, Wood, of Story; and Mr. Speaker.—Total, 49.

The nays were—

Messrs. Ainsworth, Bergh, Blakely, Bliss, Caldwell, Carver, Christoph, Crawford, Danforth, Day, Dayton, Dumont, Duncan, Duncombe, Durham Flenniken, Goodspeed, Hopkirk, Kasson, Keables, McCoy, O'Donnell, Peet, Reed, Reuther, Rule, Sandry, Schweer, Secor, Stewart, Stow, Tasker, Tufts, Van Saun, Wil-

liams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wright, of Mills; and Wright, of Van Buren—Total, 40.

Absent or excused—

Messrs. Appleton, Blackman, Booth, Campbell, Hanan, Morrison, Pratt, Skillin, Struthers, Van Deventer and Whitten—Total, 11.

So the House refused to concur in the Senate amendment.

On motion of Mr. Gear, H. F. No. 374, A bill for an act requiring publication of the receipts and expenditures of independent school districts, &c., was taken up and considered.

On the adoption of the Senate amendments, the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Bresheim, Bergh, Blake, Blakely, Bliss, Bonewitz, Butler, Caldwell, Cardell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Davisson, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Hewett, Hilton, Hopkirk, Hovey, Irish, Johnston, Keables, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrill, Miller, Mills, Newbold, Paul, Peet, Perkins, Pratt, Reuther, Rice, Rohlis, Rule, Sandry, Schweer, Secor, Stedman, Stow, Struthers, Tasker, Tufts, Van Meter, Van Saun, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker.—Total, 83.

The nays were none.

Absent or excused—Messrs. Appleton, Blackman, Booth, Caldwell, Campbell, Hanan, Heberling, Kasson, Morrisson, O'Donnell, Reed, Skillin, Stewart, Teale, Tuttle, Van Deventer and Whitten.—Total, 17.

So the House concurred in the Senate amendment.

On motion of Mr. Hewett the special order, S. F. No. 190, A bill for an act making appropriations for the Agricultural College and Farm, with report of committee recommending certain amendments, was taken up and considered.

The amendments recommended by the committee were adopted.

Mr. Hewett moved to amend 5th line of section 1 by inserting "laboratory building."

The amendment prevailed.

The bill was ordered engrossed for a third reading.

Mr. Newbold moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Ballinger, Beatty, of Cedar; Beatty of Jasper; Beresheim, Bergh, Blake, Blakely, Bliss, Bonewitz, Butler, Cadwell, Caldwell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Danforth, Day, Dayton, Dumont, Duncombe, Ericson, Evans, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Hovey, Irish, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, Merrell, Miller, Mills, Newbold, O'Donnell, Paul, Peet, Perkins, Pratt, Reed, Rule, Sandry, Secor, Stedman, Stow, Struthers, Tasker, Tufts, Tuttle, Van Deventer, Van Meter, Van Saun, Williams, Wilson, of Keokuk; Wood, of Clay; Wood, of Story; Wright, of Mills; and Mr. Speaker—Total, 74.

The nays were—

Messrs. Christoph, Crawford, Davis, Davisson, Draper, Duncan, Durham, Ellsworth, Flenniken, Renthner, Rice, Schweer, Stewart, Wilson, of Washington; and Wright, of Van Buren—Total, 15.

Absent or excused—

Messrs. Appleton, Blackman, Booth, Campbell, Hanan, McCoy, Morrison, Rohlf, Skillin, Teale, and Whitten—Total, 11.

So the bill passed and the title was agreed to.

Mr. Kasson moved to reconsider the vote by which the House refused to concur in Senate amendment to H. F. No. 265.

The motion prevailed.

The question recurring on the adoption of the Senate amendments the yeas and nays were as follows:

The yeas were—

Messrs. Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Blake, Bonewitz, Butler, Cadwell, Cardell, Clark, of Benton; Clarke, of Iowa; Close, Davis, Davisson, Draper, Duncombe, Ellsworth, Ericson, Evans, Freeman, Gear, Green, Hall, Hanson, Heberling, Hewett, Hilton, Hovey, Irish, Johnston, Kasson, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, Merrell, Miller, Mills, Newbold, Paul, Perkins, Rice, Rohlf, Stedman, Struthers, Teale, Tuttle, Van Deventer, Van Meter, Wood, of Story; and Mr. Speaker—Total, 53.

The nays were—

Messrs. Ainsworth, Bergh, Blakely, Bliss, Caldwell, Carver, Christoph, Crawford, Dantorth, Day, Dayton, Dumont, Duncan, Durham, Flenniken, Goodspeed, Hopkirk, Keables, McCoy, O'Donnell, Peet, Pratt, Reed, Renthner, Rule, Sandry, Schweer, Stewart, Stow, Tasker, Tufts, Van Saun, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wright, of Mills; and Wright, of Van Buren—Total, 38.

Absent or excused—

Messrs. Appleton, Blackman, Booth, Campbell, Hanan, Morrison, Secor, Skillin, and Whitten—Total, 8.

So the House concurred in the Senate amendments.

On motion of Mr. Newbold, the special order, H. F. No. 345, A bill for an act to repeal sections 8 and 9, of chapter 26, of the acts of the Thirteenth General Assembly, &c., with report of committee, was taken up and considered.

Mr. Ericson submitted the following amendment: "This act shall not take effect until 1874.

The motion did not prevail.

Mr. Beresheim moved to lay the bill on the table.

On the motion to lay on the table the yeas and nays were as follows:

The yeas were—

Messrs. Beresheim, Blakely, Bliss, Bonewitz, Butler, Cadwell, Caldwell, Carver, Christoph, Clarke, of Iowa; Crawford, Danforth, Davis, Davisson, Day, Draper, Duncan, Durham, Ellsworth, Ericson, Evans, Flenniken, Gear, Hall, Heberling, Hewett, Hilton, Hopkirk, Irish, Keables, Lee, Litzenberg, Maxwell, McClure, McCoy, Miller, Mills, Newbold, O'Donnell, Paul, Peet, Perkins, Pratt, Reed, Reuther, Rice, Sandry, Schweer, Stewart, Stow, Van Meter, Wood, of Story; Wright, of Mills; and Wright, of Van Buren—Total, 54.

The nays were—

Messrs. Ainsworth, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Blake, Cardell, Clark, of Benton; Close, Dumont, Duncombe, Freeman, Goodspeed, Green, Hanson, Hovey, Johnston, Kasson, Leahy, McAllister, Rohlf, Rule, Stedman, Struthers, Teale, Tufts, Tuttle, Van Meter, Van Sann, Williams, Wilson, of Keokuk; Wilson of Washington; Wood, of Clay; and Mr. Speaker—Total, 33.

Absent or excused—

Messrs. Appleton, Bergh, Blackman, Booth, Campbell, Dayton, Hanan, Merrell, Morrison, Secor, Skillin, Tasker, and Whitten—Total, 13.

So the motion to lay on the table prevailed.

Mr. Van Deventer, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills ask leave to report that they have examined the following bills, and find the same correctly enrolled:

H. F. No. 402, A bill for an act to legalize the acts of E. C. Mount, as Auditor of Guthrie county, Iowa.

Also, H. F. No. 19, A bill for an act authorizing the appointment of deputy county auditors.

Also, H. F. No. 26, A bill for an act amendatory to chapter 86, of the acts of the Tenth General Assembly.

J. VAN DEVENTER, *Chairman.*



Mr. Hall, from Committee of Conference on Senate Amendments to substitute for H. F. No. 12, submitted the following report:

*To the Speaker of the House:*—The Committee of Conference on the disagreeing votes of the two Houses upon the Senate amendments to substitute for H. F. No. 12, having met and after full and free conference, have instructed me to report that said Conference Committee has failed to agree.

April 9th, 1872.

B. J. HALL,  
FRED. O'DONNELL,  
JOHN TASKER,  
*On the part of the House.*

JOHN P. WEST,  
JNO. Y. STONE,  
L. W. STEWART,  
*On the part of the Senate.*

By leave, Mr. Irish introduced H. F. No. 417, A bill for an act providing that tax voted in aid of railroads shall not become delinquent until the roads shall have been completed to the townships voting the tax.

The bill was read a first and second time.

Mr. Irish moved the rule be suspended, that the bill be considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Ainsworth, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Blake, Bliss, Butler, Cadwell, Caldwell, Cardell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa, Crawford, Danforth, Davis, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Gear, Goodspeed, Green, Hanson, Heberling, Hewett, Hilton, Hopkirk, Hovey, Irish, Johnston, Kasson, Keables, Lee, Litzenberg, Maxwell, McAllister, McClure, McCoy, Miller, Mills, Newbold, O'Donnell, Paul, Peet, Perkins, Pratt, Reed, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Stedman, Stewart, Stow, Struthers, Teale, Tufts, Tuttle, Van Deventer, Van Meter, Van Sann, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren, and Mr. Speaker—Total, 73.

The nays were Mr. Blakely.

**Absent or excused—**

Messrs. Appleton, Bergh, Blackman, Bonewitz, Booth, Campbell, Close, Davisson, Hall, Hanan, Leahy, Merrell, Morrison, Skillin, Tasker, and Whitten—Total, 16.

So the bill passed and the title was agreed to.

On motion of Mr. Wilson, of Washington, S. F. No. 247, A bill for an act making valid certain deeds for town lots in the town of Sigourney, was taken up and considered.

The bill was read a first and second time.

Mr. Wilson moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, " Shall the bill pass ? " the yeas and nays were as follows :

The yeas were—

Messrs. Ainsworth, Ballinger, Beatty, of Cedar ; Beatty, of Jasper ; Beresheim, Bergh, Blake, Blakely, Bliss, Bonewitz, Cadwell, Caldwell, Cardell, Carver, Christoph, Clark, of Benton ; Clarke, of Iowa ; Close, Crawford, Danforth, Davis, Davisson, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Hovey, Irish, Keables, Lee, Litzenberg, McAllister, McClure, McCoy, Mills, Newbold, O'Donnell, Paul, Peet, Perkins, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Stedman, Stewart, Stow, Struthers, Tasker, Teale, Tufts, Tuttle, Van Deventer, Van Meter, Van Saun, Williams, Wilson, of Keokuk ; Wilson, of Washington ; Wood, of Clay ; Wood, of Story ; Wright, of Mills ; Wright, of Van Buren ; and Mr. Speaker—Total, 83.

The nays were none.

**Absent or excused—**

Messrs. Appleton, Blackman, Booth, Butler, Campbell, Hanan, Johnston, Kasson, Leahy, Maxwell, Merrell, Miller, Morrison, Pratt, Reed, Skillin, and Whitten—Total, 17.

So the bill passed and the title was agreed to.

On motion of Mr. Gear, substitute for H. F. No. 22, A bill for an act for the improvement of streets and alleys, &c., was taken up and considered.

On the adoption of the Senate amendments the yeas and nays were as follows :

The yeas were—

Messrs. Ainsworth, Ballinger, Beatty, of Cedar ; Beatty, of Jasper ; Bergh, Blakely, Cadwell, Caldwell, Carver, Christoph, Clark, of Benton ; Close, Crawford, Danforth, Davis, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Evans, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hopkirk, Hovey, Irish, Johnston, Kasson, Keables, Lee, Litzenberg, McAllister, McClure, Miller, Mills, Newbold, O'Donnell, Paul, Peet,

Perkins, Pratt, Reed, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Stedman, Stewart, Stow, Struthers, Tasker, Teale, Tufts, Tuttle, Van Deventer, Van Meter, Van Saun, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Van Buren; and Mr. Speaker—Total, 74.

The nays were—

Messrs. Beresheim, Bliss, Clarke, of Iowa; Davisson, Flenniken, and Wright, of Mills—Total, 6.

Absent or excused—

Messrs. Appleton, Blackman, Blake, Bonewitz, Booth, Butler, Campbell, Cardell, Ellsworth, Ericson, Hanan, Hewett, Hilton, Leahy, Maxwell, McCoy, Merrell, Morrison, Skillin, and Whitten—Total, 20.

So the Senate amendments were concurred in.

On motion of Mr. Tufts, H. F. No. 407, A bill for an act to legalize the acts of E. M. Burk, county auditor of Cedar county, Iowa, was taken up and considered.

Mr. Tufts moved that the rule be suspended, that the bill be considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blakely, Bonewitz, Cadwell, Caldwell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Olose, Crawford, Danforth, Davis, Davisson, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hopkirk, Hovey, Irish, Johnston, Keables, Leahy, Lee, Litzenberg, McAllister, McClure, McCoy, Merrell, Miller, Mills, Newbold, O'Donnell, Paul, Peet, Perkins, Pratt, Reed, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Stedman, Stewart, Stow, Struthers, Tasker, Teale, Tufts, Tuttle, Van Deventer, Van Meter, Van Saun, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren, and Mr. Speaker—Total, 85.

The nays were none.

Absent or excused—

Messrs. Appleton, Blackman, Blake, Bliss, Booth, Butler, Campbell, Cardell, Hanan, Hilton, Kasson, Maxwell, Morrison, Skillin, and Whitten—Total, 15.

So the bill passed and the title was agreed to.

Mr. Irish moved that when the House adjourn it adjourn till tomorrow morning at 9 o'clock.

The motion did not prevail.

On motion of Mr. Close, H. F. No. 408, A bill for an act to amend section 2, chapter 102, of the laws of the Ninth General Assembly, with the report of the committee recommending its passage, was taken up and considered.

Mr. Blakely moved to amend by inserting "inside of his or her enclosure."

The amendment was adopted.

Mr. Leahy moved to amend as follows :

Strike out \$50 and insert one cent, the prosecuting witness to pay the cost.

The amendment was not adopted.

The House refused to order the bill engrossed.

On motion of Mr. Caldwell, S. F. No. 21, A bill for an act to permanently locate the State Reform School, with the report of the committee, was taken up and considered.

Mr. Caldwell moved to strike out sec. —, and insert the following:

A board of three commissioners, consisting of Hon. Caleb Baldwin, of Pottawattamie county ; D. L. Smith, of Buchanan county, and Edward Johnson, of Lee county, is hereby appointed to make the said location, and they shall each receive as compensation the same mileage as is paid to members of the General Assembly for every twenty miles of actual travel in the performance of their duties as attested by their sworn statement, and it is further provided that they shall not make the location within either of the counties in which they reside.

The hour of 12 m. having arrived, the Speaker declared the House adjourned until 2 o'clock, P. M.

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TWO O'CLOCK, P. M.

House called to order by the Speaker.

The question recurring on the amendment offered by Mr. Caldwell, Mr. Ballinger moved to amend the amendment by adding "nor the county of Wapello."

The amendment was adopted.

Mr. Blakey moved to amend the amendment as follows :

Insert instead of the three men named, three females appointed by the Governor.

The amendment to the amendment was adopted.

Mr. Leahy moved that the said Reform School be located at the State Capital.

The motion did not prevail.

Mr. Davisson moved that the said reform school be located within forty miles of the State capital.

The motion did not prevail.

Mr. Hall moved to strike out "three females," and insert "three citizens."

The motion prevailed.

Mr. Irish moved to amend by inserting as one of the commissioners, "Hon. Samuel Caldwell, of Wapello county."

The Speaker announced that the hour for taking up bills on third reading had arrived, and the order was taken up.

#### BILLS ON THIRD READING.

H. F. No. 211, A bill for an act to amend section 2, chapter 89, laws of the Thirteenth General Assembly, &c., was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Bergh, Blackman, Blake, Blakely, Bliss, Bonewitz, Butler, Cadwell, Caldwell, Cardell, Clark, of Benton; Close, Crawford, Davis, Davisson, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Flenniken, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Hovey, Irish, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, McAllister, McClure, McCoy, Merrell, Miller, Mills, Newbold, Peet, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Stedman, Stewart, Stow, Struthers, Tasker, Tuttle, Van Deventer, Van Meter, Van Saun, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Van Buren; and Mr. Speaker—Total, 75.

The nays were—

Messrs. Beatty, of Cedar; Beatty, of Jasper; Beresheim, Christoph, Clarke, of Iowa; Day, Evans, O'Donnell, Tufts, and Wright, of Mills—Total, 10.

Absent or excused—

Messrs. Blackman, Booth, Campbell, Carver, Danforth, Hanan, Maxwell, Morrison, Paul, Perkins, Pratt, Reed, Skillin, Teale, and Whitten—Total, 15.

So the bill passed and the title was agreed to.

H. F. No. 51, A bill for an act to amend section 2, chapter 173, acts of the Ninth General Assembly, &c., was read a third time.

Mr. Pratt moved to refer the bill back to the Committee on Judiciary.

The motion prevailed.

H. F. No. 193, A bill for an act to amend section 711, of the Revision of 1860, was taken up and read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ba'llinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blake, Blakely, Bliss, Bonewitz, Butler, Cadwell, Caldwell, Cardell, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ericson, Evans, Flenniken, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Hovey, Irish, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Miller, Mills, Newbold, O'Donnell, Peet, Perkins, Reed, Reuther, Rice, Bohlfs, Rule, Sandry, Schweer, Secor, Stedman, Stewart, Stow, Struthers, Tasker, Teale, Tufts, Tuttle, Van Deventer, Van Meter, Van Saun, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; and Mr. Speaker—Total, 86.

The nays were none.

Absent or excused—

Messrs. Blackman, Booth, Campbell, Carver, Davisson, Ellsworth, Hanan, Morrison, Paul, Pratt, Skillin, Whitten, Williams, and Wright, of Van Buren—Total, 14.

So the bill passed and the title was agreed to.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following bills, in which the concurrence of the House is asked:

S. F. No. 196, A bill for an act to prohibit appropriations, gifts, or donations of public money or property for ecclesiastical or sectarian purposes.

Also, S. F. No. 216, A bill for an act providing that district and circuit judges shall fix the time for holding courts in their respective districts.

Also, S. F. No. 226, A bill for an act to repeal section 827, of the Revision of 1860.

Also, Senate Files No. 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, and 260, being code series numbers one to twelve, inclusive, and comprising part one of the new code.

I am also directed to inform your honorable body that the Senate has passed the following bills and joint resolutions without amendment:

H. F. No. 169, A bill for an act to amend chapter 98, of the acts of the Thirteenth General Assembly, in relation to indebtedness of school districts.

Also, H. F. No. 327, A bill for an act requiring cities to pay damages in certain cases.

Also, H. F. No. 336, A bill for an act declaring the continuation

of the incorporation of the town of Richland, and legalizing the election of officers thereof.

Also, H. F. No. 364, A bill for an act to legalize the incorporation of the town of Ackley, Iowa, and the election of officers for said incorporation.

Also, H. F. No. 369, A bill for an act to legalize the incorporation of Clear Lake, Cerro Gordo county, Iowa.

Also, H. F. No. 385, A bill for an act to legalize the acts of the Board of Supervisors of Hancock county, Iowa, authorizing the county recorder to make new indexes and deed records.

Also, a joint resolution giving certain authority to the State Auditor in respect to the credits claimed by the counties of Harrison, Howard, Marion, Jasper, Louisa, Bremer and Winnebago, for State revenue alleged to be stolen from said counties.

Also, a joint resolution asking Congress to place lumber on the free list.

Also, a concurrent resolution requesting the Governor to postpone the execution of the prisoner Stanley until the General Assembly shall finally act on the bill abolishing the death penalty.

Also, a concurrent resolution instructing the Auditor of State to issue warrants to reporters for the amount of undrawn stationery due them.

Also, a concurrent resolution instructing the Auditor of State to issue like warrants to each of the members of the General Assembly.

Also, that the Senate has passed with amendment, H. F. No. 403, A bill for an act to legalize the official acts of John L. Robinson, a Justice of the Peace of Holman township, Osceola county, Iowa. Amend by striking out the word "official" wherever it occurs in the bill, and inserting "ministerial." In which amendment the concurrence of the House is respectfully asked.

J. A. T. HULL, *Secretary.*

S. F. No. 98, A bill for an act to amend section 3305 of the Revision of 1860, exempting sewing machines from execution, was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blake, Blakely, Bliss, Bonewitz, Butler, Cadwell, Cardell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Davisson, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ericson, Evans, Flenniken, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Hovey, Irish, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, McAllister, McClure,



Merrell, Miller, Mills, Newbold, O'Donnell, Peet, Perkins, Reed, Reuther, Rice, Rohlf, Rule, Sandry, Secor, Stedman, Stewart, Stow, Struthers, Tasker, Teale, Tufts, Tuttle, Van Deventer, Van Meter, Van Saun, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 85.

The nays were—

Messrs. Ballinger, Ellsworth, McCoy, and Schweer—Total, 4.

Absent or excused—

Messrs. Blackman, Booth, Caldwell, Campbell, Hanan, Morrison, Maxwell, Paul, Pratt, Skillin, and Whitten—Total, 11.

So the bill passed, and the title was agreed to.

H. F. No. 149, A bill for an act to amend section 1975 and section 1984, of the Revision of 1860, in relation to school fund, was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were —

Messrs. Appleton, Beresheim, Blakely, Bonewitz, Cadwell, Cardell, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Day, Dumont, Durham, Ericson, Evans, Freeman, Gear, Hall, Hanson, Hewett, Hovey, Johnston, Kasson, Leahy, Litzenberg, Maxwell, McAllister, McOlure, Miller, Mills, Newbold, O'Donnell, Perkins, Reed, Stedman, Tuttle, Van Meter, Van Saun, Williams, and Wilson, of Keokuk—Total, 42.

The nays were—

Messrs. Ainsworth, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Bergh, Blake, Bliss, Christoph, Davisson, Duncan, Duncombe, Ellsworth, Flenniken, Goodspeed, Green, Heberling, Hilton, Hopkirk, Keables, McCoy, Merrell, Peet, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Stewart, Stow, Struthers, Teale, Tufts, Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 40.

Absent or excused—

Messrs. Blackman, Booth, Butler, Caldwell, Campbell, Carver, Dayton, Draper, Hanan, Irish, Lee, Morrison, Paul, Pratt, Skillin, Tasker, Van Deventer, and Whitten—Total, 12.

So the bill not receiving a constitutional majority, was declared lost.

Mr. Beatty, of Cedar, moved to reconsider the vote by which the House passed S. F. No. 98.

The motion did not prevail.

S. F. No. 183, A bill for an act to provide for a system of Normal Schools, was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Beatty, of Cedar ; Beatty, of Jasper ; Beresheim, Bergh, Blake, Bliss, Butler, Cadwell, Cardell, Clark, of Benton ; Clarke, of Iowa ; Dumont, Duncombe, Ericson, Freeman, Green, Hall, Heberling, Hewett, Hovey, Irish, Leahy, Litzenberg, Maxwell, McClure, Merrell, Miller, Mills, Newbold, Paul, Perkins, Pratt, Rohlf, Rule, Secor, Stedman, Struthers, Tuttle, Van Deventer, Van Saun, Williams, Wilson, of Keokuk ; Wood, of Clay ; Wright, of Mills ; and Mr. Speaker—Total, 45.

The nays were—

Messrs. Ainsworth, Appleton, Blakely, Caldwell, Christoph, Close, Crawford, Danforth, Davis, Davisson, Day, Draper, Duncan, Durham, Ellsworth, Evans, Flenniken, Gear, Goodspeed, Hanson, Hilton, Hopkirk, Johnston, Lee, McAllister, McCoy, O'Donnell, Peet, Reed, Renther, Rice, Sandry, Schweer, Stewart, Stow, Teale, Tufts, Van Meter, Wilson, of Washington ; Wood, of Story and Wright, of Van Buren—Total, 41.

Absent or excused—

Messrs. Ballinger, Blackman, Bonewitz, Booth, Campbell, Carver, Dayton, Hanan, Kasson, Keables, Morrison, Skillin, Tasker, and Whitten—Total, 14.

So the House refused to pass the bill, not having a constitutional majority.

S. F. No. 165, A bill for an act repealing an act legalizing the organization of an independent school district from portions of Page and Taylor counties, was taken up and read a third time.

On the question, " Shall the bill pass ? " the yeas and nays were as follows:

The yeas were—

Messrs. Appleton, Ballinger, Duncombe, Leahy, Mills, Van Meter, and Mr. Speaker—Total, 7.

The nays were—

Messrs. Ainsworth, Beatty, of Cedar ; Beatty, of Jasper ; Beresheim, Bergh, Blakely, Bliss, Cadwell, Caldwell, Christoph, Clark, of Benton ; Clarke, of Iowa ; Crawford, Davis, Davisson, Day, Draper, Dumont, Duncan, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hilton, Hopkirk, Hovey, Irish, Johnston, Lee, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Miller, Newbold, O'Donnell, Peet, Pratt, Renther, Rohlf, Rule, Sandry, Schweer, Stedman, Stewart, Stow, Struthers, Tufts, Tuttle, Van Saun, Williams, Wilson, of Keokuk ; Wilson, of Washington ; Wood, of Clay ; Wood, of Story ; and Wright, of Mills—Total, 66.

Absent or excused—

Messrs. Blackman, Blake, Bonewitz, Booth, Butler, Campbell, Cardell, Carver, Close, Danforth, Dayton, Hanan, Hewett, Kasson, Keables, Morrison, Paul, Perkins, Reed, Rice, Secor,

Skillin, Tasker, Teale, Van Deventer, Whitten, and Wright, of Van Buren—Total, 17.

The bill, not receiving a constitutional majority, was declared lost.

Mr. Van Deventer from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills ask leave to report that they have examined the following bill and find the same correctly enrolled :

H. F. No. 265, A bill for an act to provide for a State Capitol, and making appropriations therefor.

S. F. No. 43, A bill for an act to provide for an argument term of the supreme court at Council Bluffs.

S. F. No. 156, A bill for an act to legalize corporations for pecuniary profit, organized under the provisions of chapter 52 of the Revision of 1860, as amended by chapter 172, acts of the Thirteenth General Assembly.

J. VAN DEVENTER, *Chairman*.

H. F. No. 208, A bill for an act to restore territory set off for school purposes, was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Blakely, Bonewitz, Butler, Cadwell, Christoph, Clark, of Benton; Clarke, of Iowa; Davis, Day, Dayton, Dumont, Duncan, Ellsworth, Ericson, Evans, Flenniken, Freeman, Gear, Goodspeed, Hanson, Irish, Keables, Leahy, Lee, Litzenberg, McClure, Merrell, Mills, Newbold, O'Donnell, Paul, Peet, Perkins, Pratt, Reed, Renther, Rice, Rohlf, Rule, Sandry, Secor, Stewart, Stow, Struthers, Tasker, Tuttle, Van Meter, Van Saun, Williams, Wilson, of Keokuk; Wood, of Clay; Wood, of Story; Wright, of Mills; and Wright, of Van Buren—Total, 59.

The nays were—

Messrs. Beresheim, Bliss, Close, Davisson, Duncombe, Durham, Green, Hall, Heberling, Hewett, Hilton, Hopkirk, Hovey, Maxwell, McAllister, McCoy, Miller, Stedman, Tufts, and Wilson, of Washington—Total, 20.

Absent or excused—

Messrs. Bergh, Blackman, Blake, Booth, Caldwell, Campbell, Cardell, Carver, Crawford, Danforth, Draper, Hanan, Johnston, Kasson, Morrison, Schweer, Skillin, Teale, Van Deventer, Whitten, and Mr. Speaker—Total, 21.

So the bill passed and the title was agreed to.

H. F. No. 66, A bill for an act making persons selling or giving away intoxicating liquors responsible for loss or damage occasioned by the use of the same, was read a third time.

Mr. Green moved that the bill be recommitted to Committee on Suppression of Intemperance.

Mr. Ellsworth moved to instruct the Committee to investigate the question as to whether the bill was altered after it was ordered engrossed, and if so, who did the same.

The motion to instruct prevailed.

On the motion to recommit, the yeas and nays were demanded, which were as follows :

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beresheim, Bergh, Blake, Blakely, Bliss, Caldwell, Christoph, Danforth, Day, Dayton, Duncombe, Ericson, Flenniken, Gear, Green, Hall, Heberling, Hovey, Irish, Johnston, Kasson, Keables, Maxwell, Merrell, Miller, O'Donnell, Paul, Perkins, Pratt, Reed, Reuther, Rohlf, Rule, Sandry, Schweer, Stewart, Stow, Tuttle, Van Deventer, Van Saun, Williams, Wilson, of Keokuk ; Wilson, of Washington ; Wood, of Clay ; and Mr. Speaker—Total, 48.

The nays were—

Messrs. Beatty, of Cedar ; Beatty, of Jasper ; Bonewitz, Butler, Cadwell, Cardell, Carver, Clark, of Benton ; Clarke, of Iowa ; Close, Crawford, Davis, Draper, Dumont, Duncan, Durham, Ellsworth, Evans, Goodspeed, Hanson, Hilton, Hopkirk, Leahy, Lee, Litzenberg, McAllister, McClure, McCoy, Mills, Newbold, Peet, Rice, Secor, Stedman, Struthers, Tasker, Teale, Tufts, Van Meter, Wood, of Story ; Wright, of Mills ; and Wright, of Van Buren—Total, 42.

Absent or excused—

Messrs. Blackman, Booth, Campbell, Davisson, Freeman, Hanan, Hewett, Morrison, Skillin, and Whitten—Total, 10.

So the motion to recommit prevailed.

Mr. Davis moved that the vote by which H. F. No. 143 was lost be reconsidered.

The motion prevailed.

Mr. Carver moved to reconsider the vote by which the House ordered the bill engrossed.

The motion prevailed.

Mr. Carver moved to amend the bill by striking out "four and one-half feet," and inserting "six and one-half."

The amendment was adopted.

Mr. Leahy moved to amend the 1st section by inserting before "hedge" the word "osage."

The motion prevailed.

Mr. Butler offered the following amendment: "*Provided*, that this act shall only apply to fences along the public highways."

The amendment was adopted.

The bill was ordered engrossed, and to be read a third time.

Mr. Wright, of Van Buren, moved that the rule be suspended, that the bill be considered engrossed, and read a third time now.

The motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Appleton, Beatty, of Cedar; Beresheim, Bonewitz, Caldwell, Caldwell, Carver, Clarke, of Iowa; Close, Danforth, Duncan, Durham, Ellsworth, Gear, Green, Hall, Hanson, Hovey, Irish, Kasson, Keables, Lee, McCoy, Merrell, Mills, Newbold, Perkins, Rice, Rohlf, Schweer, Stewart, Struthers, Tasker, Tufts, Tuttle, Van Meter, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wright, of Van Buren; and Mr. Speaker—Total, 42.

The nays were—

Messrs. Ainsworth, Ballinger, Beatty, of Jasper; Bergh, Blakely, Bliss, Butler, Christoph, Clark, of Benton; Crawford, Davisson, Draper, Ericson, Flenniken, Freeman, Goodspeed, Heberling, Hilton, Hopkirk, Johnston, Leahy, Litzenberg, Maxwell, McAllister, McClure, Miller, O'Donnell, Paul, Reed, Rule, Sandry, Stedman, Stow, Van Sann, Wood, of Story; and Wright, of Mills—Total, 36.

Absent or excused—

Messrs. Blackman, Blake, Booth, Campbell, Cardell, Davis, Day, Dayton, Dumont, Duncombe, Evans, Hanan, Hewett, Morrison, Peet, Reuther, Secor, Skillin, Teale, Van Deventer, Whitten, and Wood, of Story—Total, 22.

So the House refused to pass the bill.

Mr. Clark, of Benton, by leave, introduced a joint resolution, proposing an amendment to sec. 13, article 5, of the Constitution of the United States.

Referred to Committee on Constitutional Amendments.

H. F. No. 188, A bill for an act to amend chapter 175 of the acts of the Thirteenth General Assembly, was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Appleton, Ballinger, Beatty of Cedar; Beatty of Jasper; Beresheim, Bonewitz, Butler, Caldwell, Caldwell, Cardell, Clarke, of Iowa; Close, Crawford, Danforth, Davis, Day, Draper, Dumont, Evans, Flenniken, Freeman, Gear, Green, Hall, Heberling, Hewett, Hopkirk, Hovey, Irish, Kasson, Keables, Leahy, Litzenberg, McClure, McCoy, Merrell, Miller, Mills, Newbold, O'Donnell, Paul, Peet, Perkins, Reed, Rice, Rohlf, Rule, Schweer, Stedman, Stewart, Tasker, Tuttle, Van Meter, Van Sann, Wilson, of Keokuk; Wilson, of Washington; and Wright, of Mills—Total, 59.

The nays were—

Messrs. Ainsworth, Blakely, Bliss, Davisson, Duncan, Durham, Ellsworth, Ericson, Goodspeed, Hanson, Hilton, Lee, Maxwell, McAllister, Sandry, Secor, Stow, Struthers, Tufts, Williams, Wood,

of Clay; Wood, of Story; Wright, of Van Buren and Mr. Speaker—Total, 24.

Absent or excused—

Messrs. Blackman, Blake, Booth, Campbell, Carver, Christoph, Clark, of Benton; Dayton, Duncombe, Hanan, Morrison, Pratt, Reuther, Skillin, Teale, Van Deventer, and Whitten—Total, 17.

So the bill passed and title was agreed to.

On motion of Mr. Kasson, H. F. No. 80, A bill for an act for the prevention of crime, and the punishment thereof, was taken up and considered.

Mr. Pratt moved to strike out the 5th section of the bill.

The motion prevailed.

Mr. Kasson offered a substitute for the bill.

On the adoption of the substitute the yeas and nays were demanded, which were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Blake, Bliss, Bonewitz, Butler, Cadwell, Caldwell, Carver, Clarke, of Iowa; Close, Crawford, Danforth, Day, Dayton, Draper, Dumont, Durham, Ellsworth, Ericson, Evans, Freeman, Gear, Green, Hall, Hanson, Heberling, Hewett, Hilton, Hovey, Irish, Kasson, Keables, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Miller, Mills, Newbold, Paul, Perkins, Pratt, Rice, Rohlf, Rule, Sandry, Secor, Stedman, Stewart, Stow, Struthers, Tasker, Teale, Tutts, Van Sann, Whitten, Wilson, of Keokuk; Wood, of Clay; Wright, of Mills; and Mr. Speaker—Total, 69.

The nays were—

Messrs. Blakely, Christoph, Clark, of Benton; Davisson, Duncan, Goodspeed, Hopkirk, O'Donnell, Reed, Reuther, Schweer, Tuttle, Van Meter, Wilson, of Washington; Wood, of Story; and Wright, of Van Buren—Total, 16.

Absent or excused—

Messrs. Blackman, Bergh, Booth, Campbell, Cardell, Davis, Duncombe, Fleniken, Hanan, Johnston, Morrison, Peet, Skillin, Van Deventer, and Whitten—Total, 15.

So the substitute was adopted.

Mr. Van Deventer, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bills, viz:

H. F. No. 277, An act to provide for an allowance to the chief justice of the supreme court for clerk hire.

H. F. No. 267, An act to legalize the acts of the board of directors of the district township of Delaware, Polk county, Iowa.

H. F. No. 170, An act relinquishing an escheat in Des Moines county to John Parrott.

H. F. No. 197, An act making counties responsible for the collection and payment of school fund interest, &c.

H. F. No. 346, An act to provide for taking a census of this State in the year A. D. 1873.

J. VAN DEVENTER, *Chairman*.

Mr. Kasson moved that the rule be suspended, that the bill be considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were--

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Blake, Bliss, Bonewitz, Butler, Cadwell, Caldwell, Carver, Clarke, of Iowa; Close, Crawford, Danforth, Davis, Day, Draper, Dumont, Durham, Ellsworth, Evans, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hilton, Hovey, Irish, Kasson, Keables, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, McCov, Merrell, Miller, Mills, Newbold, Paul, Perkins, Pratt, Rice, Rohls, Rule, Secor, Skillin, Stedman, Struthers, Tasker, Teale, Tufts, Van Sann, Williams, Wilson, of Keokuk; Wood, of Clay; Wright, of Mills; and Mr. Speaker—Total, 68.

The nays were--

Messrs. Bergh, Blakely, Cardell, Christoph, Clark, of Benton; Dayton, Duncan, Ericson, Flenniken, Hopkirk, O'Donnell, Reed, Reuther, Sandry, Schweer, Stewart, Stow, Tuttle, Van Meter, Wilson, of Washington; Wood, of Story; and Wright, of Van Buren—Total, 22.

Absent or excused—

Messrs. Blackman, Booth, Campbell, Davisson, Duncombe, Hanan, Johnston, Morrison, Peet, Skillin, Van Deventer, and Whitten, Total, 10.

So the bill passed and the title was agreed to.

On motion of Mr. Hall the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, April 10, 1872. }

House convened pursuant to adjournment.

The Speaker in the chair.

Prayer by Rev. Mr. Swope.



Pending the reading of the journal, Mr. Ainsworth moved that further reading of the journal be dispensed with.

The motion prevailed.

The Speaker announced the business before the House, the consideration of the unfinished business, S. F. No. 21, A bill for an act to permanently locate a State Reform School.

The question recurring on the amendment offered by Mr. Caldwell, Mr. Ainsworth moved to reconsider the vote by which the amendment to the amendment offered by Mr. Ballinger was adopted.

The motion prevailed.

The motion to amend the amendment by adding "nor the county of Wapello," did not prevail.

Mr. Leahy offered the following amendment:

That the Reform School be located at the State Capital: *Provided*, as suitable a site can be obtained there as elsewhere.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has discharged its first Committee of Conference on the disagreeing vote on substitute for H. F. No. 12, and has appointed Senators Vale, Ketchum, and McColloch as second Committee of Conference on that subject, and request your honorable body to appoint a like committee.

J. A. T. HULL, *Secretary*.

Leave was granted to Messrs. Duncombe, Campbell, Rule, and Van Deventer to have their votes recorded "no" on the bill passed yesterday abolishing the death penalty.

Mr. O'Donnell moved that the Senate message in regard to the disagreeing report of the Conference Committee on substitute for H. F. No. 12, be taken up.

The motion prevailed.

Mr. O'Donnell moved that the Committee on the part of the House be discharged and a new one appointed.

The motion prevailed.

The Speaker announced that the hour for the special order, the consideration of S. F. No. 122, A bill for an act to permanently locate and provide for the erection and control of an additional penitentiary, had arrived.

Mr. Tasker moved that the special order be taken up.

The motion prevailed.

The bill was taken up and considered.

Mr. Davisson moved to amend by striking out "Anamosa" and inserting "Winterset."

The motion did not prevail.

Mr. Campbell moved to strike out the proviso to section 8.

The motion prevailed.

The bill was ordered engrossed, and to be read a third time.

Mr. Tasker moved that the rule be suspended, the bill considered engrossed and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Beresheim, Bonewitz, Caldwell, Campbell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Day, Duncan, Duncombe, Durham, Evans, Freeman, Gear, Green, Heberling, Hewett, Hovey, Irish, Kasson, Keables, Litzenberg, Maxwell, McAllister, McClure, Merrell, Mills, Newbold, O'Donnell, Paul, Perkins, Pratt, Reed, Rice, Rohls, Rule, Sandry, Stedman, Struthers, Tasker, Tufts, Tuttle, Van Deventer, Wilson, of Keokuk; Wood, of Clay; Wood, of Story; Wright, of Mills, and Mr. Speaker—Total, 50.

The nays were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Bergh, Blake, Bliss, Butler, Cadwell, Christoph, Crawford, Danforth, Davis, Davisson, Draper, Dumont, Ellsworth, Ericson, Flenniken, Goodspeed, Hall, Hanson, Hilton, Hopkirk, Johnston, Leahy, Lee, McCoy, Miller, Peet, Reuther, Schweer, Secor, Stewart, Stow, Van Meter, Van Saun, Williams, Wilson, of Washington, and Wright, of Van Buren—Total, 41.

Absent or excused—

Messrs. Blackman, Blakely, Booth, Dayton, Hanan, Morrison, Skillin, Teale, and Whitten—Total, 9.

So the bill, not receiving a constitutional majority, failed to pass the House.

Mr. Newbold moved that special order, H. F. No. 197, A bill for an act making further appropriations for the Hospital for the Insane, at Mount Pleasant, be taken up.

The motion prevailed.

The bill, with the report of the committee recommending amendments, was taken up and considered.

The first amendment recommended by the Committee was adopted.

The second amendment recommended by the Committee was not adopted.

The third amendment recommended by the Committee was adopted.

The fourth amendment recommended by the Committee was adopted.

Mr. Ellsworth moved to strike out the proviso at the end of section one.

The motion did not prevail.

Mr. Newbold moved that the rule be suspended, that the bill be considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blake, Bliss, Bonewitz, Butler, Caldwell, Campbell, Cardell, Carver, Christoph, Clark, of Benton; Close, Crawford, Danford, Davis, Davisson, Day, Dayton, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Hovey, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, Merrell, Miller, Mills, Newbold, O'Donnell, Paul, Peet, Perkins, Pratt, Reed, Renther, Rice, Rohlf, Sandry, Schweer, Secor, Stedman, Stow, Struthers, Tufts, Tuttle, Van Deventer, Van Meter, Van Sann, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; and Mr. Speaker—Total, 83.

The nays were—

Messrs. Cadwell, Clarke, of Iowa; McCoy, Stewart, and Wright, of Van Buren—Total, 5.

Absent or excused—

Messrs. Blackman, Blakely, Booth, Draper, Hanan, Irish, Morrison, Rule, Skillin, Tasker, Teale, and Written—Total, 12.

So the bill passed and the title was agreed to.

Mr. Goodspeed moved that the special order, H. F. No. 333, A bill for an act to determine the weight per bushel of certain undried fruits mentioned therein, be taken up.

The motion prevailed.

The bill was taken up and considered.

Mr. Reed moved to strike out the publication clause.

The motion prevailed.

The House ordered the bill engrossed and to be read a third time.

Mr. Goodspeed moved that the rule be suspended, that the bill be considered engrossed and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blake, Bonewitz, Cadwell, Caldwell,

Campbell, Cardell, Carver, Christoph, Clarke, of Iowa; Crawford, Danforth, Davis, Day, Dayton, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson. Evans, Flenniken, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Hovey, Irish, Johnston, Keables, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Miller, Mills, O'Donnell, Paul, Peet, Perkins, Reed, Reuther, Rice, Rohlf, Sandry, Schwaer, Secor, Stedman, Stewart, Tufts, Tuttle, Van Deventer, Van Meter, Van Saun, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wright, of Mills; Wright, of Van Buren, and Mr. Speaker—Total, 77.

The nays were none.

Absent or excused—

Messrs. Ballinger, Blackman, Blakely, Booth, Butler, Bliss, Clark, of Benton; Close, Davisson, Draper, Hanan, Kasson, Morrison, Newbold, Pratt, Rule, Skillin, Stow, Struthers, Tasker, Teale, Whitten, and Wood, of Story—Total, 23.

So the bill passed and the title was agreed to.

Mr. Caldwell moved to call up H. F. No. 281, A bill for an act to regulate the assessment of pork packers and commission merchants, &c.

The motion prevailed.

The bill was taken up and considered.

Mr. Caldwell offered a substitute for the bill.

Mr. Johnson moved to reconsider the vote by which H. F. No. 66 was recommitted, which motion was postponed.

Mr. Van Deventer, from Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER:—The Committee on Enrolled Bills ask leave to report that they have examined the following resolutions, and find them correctly enrolled:

A concurrent resolution relative to postponing the execution of the prisoner Stanley.

Also, joint resolution relative to placing lumber on the free list.

J. VAN DEVENTER, *Chairman*.

Mr. Pratt submitted the following report :

The Judiciary Committee report back S. F. No. 145, and ask that the same may be referred to Committee on Schools.

H. O. PRATT, *Chairman*.

Mr. Pratt moved that the report be adopted.

The motion prevailed.

The hour having arrived for adjournment, the speaker announced the House adjourned.

TWO O'CLOCK, P. M.

The Speaker called the House to order.

The question recurring on the consideration of H. F. No. 2.

Mr. Lee, from Committee on Engrossed Bills submitted the following report :

MR. SPEAKER:—The Committee on Engrossed Bills ask leave to report that they have examined the following bills, and find the same correctly engrossed :

H. F. No. 374, A bill for an act to amend chapter 109 of the acts of the Thirteenth General Assembly, providing for the appointment of a steward for the Iowa Hospital for the Insane.

Also, H. F. No. 413, A bill for an act to repeal chapter 132 of of the acts of the Eighth General Assembly.

JOHN M. LEE, *of Committee.*

The substitute was adopted.

Mr. Hall moved to reconsider the vote by which the House adopted the substitute for H. F. No. 281.

The motion prevailed.

Mr. Hall offered the following amendment :

*“ Provided, That under the provision of this section, pork which has been assessed for any given year, and which has afterwards been purchased and packed in this State, shall not again be assessed for such year.”*

The amendment was adopted.

The substitute, as amended, was adopted.

Mr. Hall moved to reconsider the vote by which the substitute was adopted.

The motion prevailed.

The question recurring on the motion to strike out, and insert the amendment offered by Mr. Hall, the motion prevailed.

The substitute, as amended, was adopted.

Mr. Caldwell moved that the rule be suspended that the bill be considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, “ Shall the bill pass ? ” the yeas and nays were as follows :

The yeas were—

Messrs. Ainsworth, Ballinger, Beatty, of Jasper ; Beresheim, Blakely, Bonewitz, Caldwell, Campbell, Cardell, Carver, Christoph, Clark, of Benton ; Clarke, of Iowa ; Day, Dayton, Draper, Duncombe, Durham, Ericson Freeman, Gear, Green, Heberling, Hewett, Hopkirk, Irish, Keables, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Mills, O'Donnell, Perkins, Pratt, Reu-

ther, Rohlf, Secor, Stedman, Teale, Tuttle, Van Deventer, Williams, Wilson, of Keokuk; and Wood, of Clay—Total, 47.

The nays were—

Messrs. Appleton, Beatty, of Cedar; Bergh, Blake, Bliss, Butler, Cadwell, Close, Crawford, Danforth, Davis, Davisson, Duncan, Ellsworth, Evans, Flenniken, Goodspeed, Hall, Hanson, Hilton, Johnston, Leahy, Lee, Miller, Newbold, Paul, Peet, Reed, Rice, Rule, Sandry, Schweer, Stewart, Stow, Struthers, Tufts, Van Meter, Van Saun, Wilson, of Washington; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 42.

Absent or excused—

Messrs. Blackman, Blake, Booth, Dannon, Hanan, Hovey, Kasson, Morrison, Skillin, Tasker, and Whitten—Total, 11.

So the bill not having received a constitutional majority, was lost.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following bills, in which the concurrence of the House is asked:

S. F. No. 261, A bill for an act to legalize the acts of the board of supervisors of Poweshiek county, Iowa, relative to the purchase of a poor farm.

Also, S. F. No. 67, A bill for an act to require indexes to be kept to the register of tax sale.

I am also directed to inform your honorable body that the Senate has passed the following bill without amendment.

Substitute for H. F. No. 9, A bill for an act for the protection of the life and health of miners.

J. A. T. HULL, *Secretary*.

Mr. Van Deventer moved to take up substitute for H. F. No. 226, A bill for an act in relation to land grants, and to provide for a record title thereto.

The motion prevailed.

Mr. Wright, of Mills, moved to amend by adding:

*“Providing, further, That in preparing the list, or lists of lands under this act, it shall be the duty of the Register of the State Land Office to exclude all lands selected by the State, or any county, under the swamp land grant, and also excluding all lands claimed under the homestead or pre-emption laws of the United States, or which have been sold or disposed of, and the entry or pre-emption cancelled.”*

The amendment was adopted.

Mr. Van Deventer moved that the rule be suspended, that the bill be considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Jasper; Beresheim, Bergh, Blake, Bonewitz, Butler, Cadwell, Campbell, Cardell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Flenniken, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hilton, Hopkirk, Irish, Keables, Leahy, Litzenberg, McAllister, McClure, Merrell, Miller, Mills, O'Donnell, Paul, Peet, Perkins, Pratt, Reed, Renther, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Stedman, Stewart, Stow, Struthers, Tasker, Teale, Tuttle, Van Deventer, Van Meter, Van Sann, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 79.

The nays were—

Messrs. Beatty, of Cedar; Davisson, Day, Evans, and Tufts—Total, 5.

Absent or excused—

Messrs. Blackman, Blakely, Bliss, Booth, Caldwell, Hanan, Hewett, Hovey, Johnston, Kasson, Lee, Maxwell, McCoy, Morrison, Skillin, and Whitten—Total, 16.

So the bill passed and the title was agreed to.

By leave, Mr. Ballinger introduced H. F. No. 418, A bill for an act for the relief of Joseph Metz.

Read a first and second time, and passed on file.

Also, H. F. No. 419, A bill for an act to repeal sec. 827, chapter 46, of the Revision of 1860.

Read a first and second time, and passed on file.

Mr. Irish moved to take up the special order H. F. No. 148, A bill for an act to amend chapter 95, acts of the Twelfth General Assembly, &c.

Mr. Close moved to strike out the publication clause.

The motion prevailed.

Mr. Ainsworth moved to strike out section 2.

On the adoption of the amendment the yeas and nays were demanded, which were as follows:

The yeas were—

Messrs. Ainsworth, Ballinger, Hilton, Stewart, Stow, Van Meter, Williams—Total, 7.

The nays were—

Messrs. Appleton, Beatty, of Jasper; Beresheim, Bergh, Blake, Bliss, Bonewitz, Butler, Cadwell, Caldwell, Campbell, Cardell,



Carver, Christoph, Clark, of Benton ; Clarke, of Iowa ; Close, Crawford, Danforth, Davis, Davisson, Day, Dayton, Draper, Dumont, Duncan, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hopkirk, Irish, Kasson, Keables, Lee, Litzenberg, Maxwell, McAllister, McClure, Miller, Mills, Newbold, O'Donnell, Paul, Peet, Perkins, Reed, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Stedman, Struthers, Tasker, Teale, Tufts, Tuttle, Van Sann, Wilson, of Keokuk ; Wilson of Washington ; Wood, of Clay ; Wood, of Story ; Wright, of Mills ; Wright, of Van Buren, and Mr. Speaker—Total, 77.

Absent or excused—

Messrs. Beatty, of Cedar ; Blackman, Blakely, Booth, Duncombe, Hanan, Hovey, Johnston, Leahy, McCoy, Merrell, Morrison, Pratt, Skillin, Van Deventer, and Whitten—Total, 16.

So the motion to amend did not prevail.

Mr. Blake moved to reconsider the vote by which S. F. No. 183 was lost, which motion was postponed.

Mr. McAllister moved to reconsider the vote by which the House concurred in Senate amendment to H. F. No. 265, which motion was postponed.

Mr. Campbell moved to amend by offering substitute.

Mr. Goodspeed moved the previous question, which was seconded by the House.

On the question "Shall the main question be now put?" the question was ordered.

The question recurring on the substitute, the same was not adopted.

Mr. Leahy moved that the rule be suspended, that the bill be considered engrossed and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Appleton, Beatty, of Cedar ; Beatty, of Jasper ; Beresheim, Bergh, Blake, Bliss, Bonewitz, Butler, Caldwell, Campbell, Cardell, Carver, Christoph, Clark, of Benton ; Clarke, of Iowa ; Close, Crawford, Danforth, Davis, Davisson, Day, Draper, Dumont, Duncan, Durham, Ericson, Evans, Flenniken, Freeman, Goodspeed, Green, Hanson, Heberling, Hewett, Hopkirk, Hovey, Irish, Johnston, Kasson, Leahy, Lee, Litzenberg, Maxwell, McClure, Merrell, Miller, Mills, Newbold, O'Donnell, Paul, Perkins, Pratt, Reed, Reuther, Rice, Rohlf, Sandry, Secor, Struthers, Tasker, Teale, Tuttle, Van Meter, Van Sann, Wilson, of Keokuk ; Wilson, of Washington ; Wright, of Mills ; and Mr. Speaker—Total, 69.

The nays were—

Messrs. Ainsworth, Ballinger, Dayton, Duncombe, Ellsworth, Gear, Hall, Hilton, Keables, McAllister, McCoy, Rule, Schweer, Stedman, Stewart, Stow, Tufts, Williams, Wood, of Clay; and Wood, of Story—Total, 20.

Absent or excused—

Messrs. Blackman, Blakely, Booth, Cadwell, Hanan, Morrison, Peet, Skillin, Van Deventer, Whitten, and Wright, of Van Buren—Total, 11.

So the bill passed and the title was agreed to.

By leave Mr. McAllister introduced H. F. No. 420, A bill for an act to legalize the incorporation of the town of Sharon, &c.

Read a first and second time.

Mr. Teale moved to strike out the preamble.

The motion prevailed.

Mr. McAllister moved that the rule be suspended, that the bill be considered engrossed and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Bliss, Bonewitz, Butler, Campbell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Davis, Davisson, Day, Dayton, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Gear, Green, Hall, Hanan, Hanson, Heberling, Hewett, Hilton, Hopkirk, Hovey, Irish, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Mills, Newbold, Paul, Peet, Perkins, Pratt, Renther, Rice, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Struthers, Tasker, Teale, Tufts, Tuttle, Van Meter, Van Saun, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; and Mr. Speaker—Total, 80.

The nays were—Mr. Goodspeed—Total, 1.

Absent or excused—

Messrs. Blackman, Blake, Blakely, Booth, Cadwell, Caldwell, Cardell, Crawford, Danforth, Draper, Miller, Morrison, O'Donnell, Reed, Rohlf, Stow, Van Deventer, Whitten, and Wright, of Van Buren, —Total, 19.

So the bill passed, and the title was agreed to.

By leave Mr. Miller introduced H. F. No. 421. A bill for an act to amend section 8, chapter 143, acts of the 11th General Assembly.

Read a first and second time, and referred to Committee on Schools.

Mr. Pratt moved that H. F. No. 107 be returned to the House.

The motion prevailed.

Mr. Close moved to take up H. F. No. 39, A bill for an act to provide for the preservation of fish in the waters of the State of Iowa.

The motion prevailed.

The amendments recommended by the committee were adopted.

Mr. Close moved to add a publication clause.

The motion prevailed.

Mr. Perkins moved to amend by inserting after "dip net" the word spear.

The motion prevailed.

Mr. Irish moved to reconsider the vote by which the amendment was adopted.

The motion prevailed.

The motion to amend was lost.

Mr. Paul moved to amend by inserting after "hook and line" the words "and snare."

The motion prevailed.

Mr. Hall moved to amend section 1 as follows. *Provided*, that this act shall not apply to the taking of small fish for bait.

The amendment was adopted.

Mr. Perkins moved that the rule be suspended, that the bill be considered engrossed and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Beatty, of Jasper; Beresheim, Bonewitz, Butler, Caldwell, Cardell, Carver, Clarke, of Iowa; Close, Crawford, Danforth, Davis, Draper, Dumont, Duncombe, Ericson, Evans, Freeman, Gear, Green, Hall, Hanson, Heberling, Hewett, Hilton, Irish, Johnston, Kasson, Keables, Leahy, Litzenberg, Maxwell, McAllister, McClure, Mills, Newbold, O'Donnell, Paul, Perkins, Pratt, Reuther, Rohlf, Rule, Skillin, Stow, Struthers, Tasker, Tufts, Tuttle; Van Saun, Williams, Wilson, of Keokuk; Wilson, of Washington; and Mr. Speaker—Total, 54.

The nays were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Bergh, Blake, Bliss, Campbell, Christoph, Clark, of Benton; Day, Duncan, Durham, Ellsworth, Flenniken, Goodspeed, Hilton, Hopkirk, Hovey, McCoy, Merrell, Miller, Peet, Reed, Rice, Sandry, Schweer, Stedman, Stewart, Teale, Van Meter, Wood, of Clay; Wood, of Story; Wright, of Mills, and Wright, of Van Buren—Total, 34.

Absent or excused—

Messrs. Blackman, Blakely, Booth, Cadwell, Davisson, Dayton, Hanan, Lee, Morrison, Secor, Van Deventer, and Whitten—Total, 12.

So the bill passed and the title was agreed to.

Mr. Duncombe moved that the House now take up bills pertaining to the new code.

The motion prevailed.

By leave, Mr. Wood, of Clay, submitted the following report from Committee on Insurance:

MR. SPEAKER:—Your Committee on Insurance, to whom was referred H. F. No. 194, A bill for an act to amend section 40, of chapter 138, of the acts of the Twelfth General Assembly, to regulate insurance companies, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, H. F. No. 317, A bill for an act to establish an insurance bureau, and to regulate insurance, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, H. F. No. 300, A bill for an act in relation to insurance companies, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, H. F. No. 334, A bill for an act to regulate insurance companies, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

WOOD, of Clay, *Chairman*.

By leave, Mr. Beresheim offered the following resolution :

WHEREAS, The printed copies of the Code, except part 1, was not furnished the members of the General Assembly until a short time since by the State Printer ; and,

WHEREAS, The time has been too short for a thorough examination of the entire laws as compiled ; and,

WHEREAS, Numerous mistakes have been found, and to pass the Code in its present condition into a law will be unsatisfactory and uncertain ; and,

WHEREAS, The time allowed the Commissioners has been too short to perfect the work preparatory to the action of the General Assembly.

Therefore, in order to enable a more thorough examination by the Commissioners, and to provide for the incorporation of the laws of the present session into the Code,

*Resolved by the House of Representatives, the Senate concurring,*  
1st. That this General Assembly will adjourn on the 16th instant until the 2d Wednesday of February next.

2d. Nothing shall be considered by the General Assembly at

the adjourned session, and no bills passed, except the Code, unless by unanimous consent.

3d. No mileage shall be allowed the members at the adjourned session.

4th. No per diem shall be allowed the members at the adjourned session, except for the full time in which the General Assembly shall be actually in session.

Mr. Beatty, of Cedar, moved to reconsider the vote by which S. F. No. 122 was lost, the consideration of which motion was postponed.

#### REPORTS OF COMMITTEES.

Mr. Van Deventer, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bills, viz :

H. F. No. 19, An act authorizing the appointment of deputy county auditors.

Also, H. F. No. 26, An act to amend chapter 86, of the acts of the Tenth General Assembly.

Also, H. F. No. 265, An act to amend an act to provide a State Capitol.

Also, H. F. No. 402, An act to legalize certain acts of E. C. Mount, as auditor of Guthrie county.

Also, S. F. No. 43, An act to provide for an argument term of the supreme court at Council Bluffs.

Also, S. F. No. 156, An act to legalize corporations for pecuniary profit, organized under the provisions of chapter 52 of the Revision of 1860, &c.

Also, joint resolution asking Congress to place lumber on the free list.

Also, concurrent resolution requesting the Governor to postpone the execution of the prisoner Stanley.

J. VAN DEVENTER, *Chairman.*

Mr. Van Deventer, from Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER:—The Committee on Enrolled Bills ask leave to report that they have examined the following bills and find the same correctly enrolled :

H. F. No. 347, A bill for an act requiring the publication of the receipts and disbursements of the funds of independent school districts.

Also, H. F. No. 385, A bill for an act to authorize the recorder of Hancock county to make new indexes of deed records.

Also, H. F. No. 169, A bill for an act to amend chapter 98 of the acts of the Twelfth General Assembly in relation to the indebtedness of school districts.

Also, H. F. No. 369, A bill for an act to legalize the incorporation of the town of Clear Lake, Cerro Gordo county, Iowa.

Also, H. F. No. 364, A bill for an act to legalize the incorporation of the town of Ackley, Iowa, and the election of officers.

Also, H. F. No. 336, A bill for an act to legalize the incorporation of the town of Richland, Iowa.

Also, H. F. No. 327, A bill for an act requiring cities to pay damages in certain cases.

Also, Substitute for H. F. No. 22, A bill for an act relating to the improvement of streets and alleys.

Also, a joint resolution giving certain authority to the Auditor of State in respect to credits claimed by certain counties.

Also, S. F. No. 136, A bill for an act to provide for surveying lands or lots in certain cases.

Also, S. F. No. 245, A bill for an act to legalize the election of school directors of the independent school district of Camanche city.

Also, S. F. No. 88, A bill for an act to amend chapter 53 of the Revision of 1860, &c.

Also, S. F. No. 27, A bill for an act to regulate the manufacturing, keeping and sale of certain oils.

Also, S. F. No. 240, A bill for an act to amend chapter 2, acts of the Thirteenth General Assembly, and to authorize the district judge of the fourth judicial district to appoint terms of court in certain counties.

Also, S. F. No. 232, A bill for an act to legalize the acts of the independent district of Grand Junction, Iowa.

Also, S. F. No. 237, A bill for an act to legalize the incorporation of the town of Drakeville, in Davis county, Iowa, &c.

Also, S. F. No. 212, A bill for an act to legalize the acts of the board of directors of the independent school district of Blakesburg, Wapello county, Iowa.

Also, S. F. No. 139, A bill for an act to legalize certain bonds issued by the board of directors of the independent school district of Nashua, Chickasaw county, Iowa.

Also, S. F. No. 98, A bill for an act to amend section 3305 of the Revision of 1860, exempting sewing machines from execution.

Also, S. F. No. 247, A bill for an act making valid certain deeds for town lots in Sigourney.

J. VAN DEVENTER, *Chairman.*

Mr. Pratt moved that the further consideration of the resolution be postponed until to-morrow morning, first thing after reading the Journal.

The motion prevailed.

By leave, Mr. Peet called up S. F. No. 230, A bill for an act to amend section 2, chapter 6, acts of the Fourteenth General Assembly.

Read a first and second time, and referred to Committee on Roads and Highways.

By leave, Mr. Teale introduced H. F. No. 422, A bill for an act to provide against increased taxation for State purposes.

Read a first and second time.

Mr. Rohlf's moved to refer the bill to Committee on Ways and Means.

Mr. Irish moved to instruct the committee to report next Friday, at 2 o'clock P. M.

The motion to instruct did not prevail.

The motion to refer did not prevail.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER :—I am directed by the Senate to return herewith H. F. No. 107.

W. L. VESTAL, *First Assistant Secretary.*

The House ordered the bill engrossed for a third reading.

Mr. Teale moved that the rule be suspended, that the bill be considered engrossed and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Appleton, Ballinger, Beatty, of Cedar; Blake, Blakely, Bliss, Bonewitz, Butler, Cadwell, Cardell, Carver, Christoph, Clarke, of Iowa; Close, Crawford, Danforth, Davis, Day<sup>1</sup> Dayton, Draper, Dumont, Duncan, Durham, Ellsworth, Evans, Flenniken, Gear, Goodspeed, Green, Hall, Hanson, Hilton, Hopkirk, Irish, Johnston, Keables, Lee, Litzenberg, McClure, McCoy, Merrill, Miller, Mills, Newbold, O'Donnell, Peet, Pratt, Reed, Reuther, Rice, Rohlf's, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Struthers, Tasker, Teale, Tufts, Tuttle, Van Meter, Van Sann, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker.—Total, 72.

The nays were—

Messrs. Bresheim, Campbell, Clark, of Benton; Freeman, Heberling, Hovey, Kasson, Leahy, Paul, Stow, and Tuttle---Total, 11.



Absent or excused—

Messrs. Ainsworth, Beatty, of Jasper; Bergh, Blackman, Booth, Caldwell, Davisson, Duncombe, Ericson, Hanan, Hewett, Maxwell, McAllister, Morrison, Perkins, Van Deventer and Whitten.—Total, 17.

So bill passed and the title was agreed to.

On motion of Mr. Dumont, H. F. No. 65, A bill for an act apportioning the State into representative districts, &c., was taken up and considered.

The substitute recommended by the Committee was adopted.

Mr. Dumont moved that the rule be suspended and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blake, Blakely, Bliss, Bonewitz, Butler, Cadwell, Campbell, Cardell, Carver, Christoph, Clarke, of Iowa; Close, Crawford, Danforth, Davis, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Gear, Goodspeed, Green, Hanson, Heberling, Hewett, Hilton, Hopkirk, Hovey, Irish, Johnston, Keables, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrill, Miller, Mills, Newbold, O'Donnell, Paul, Peet, Pratt, Reed, Renther, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Tufts, Tuttle, Van Deventer, Van Meter, Van Sann, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Van Buren; and Mr. Speaker—Total, 85.

The nays were none.

Absent or excused --

Messrs. Blackman, Booth, Caldwell, Clark, of Benton; Davisson, Hall, Hanan, Kasson, Morrison, Perkins, Rice, Rohlf, Teale, Whitten, and Wright, of Mills—Total, 15.

So the bill passed and the title was agreed to.

By leave, Mr. Gear introduced H. F. No. 423, A bill for an act legalizing the articles of incorporation of the Burlington & Southwestern Railway Company, and the amendments thereto.

The bill was read a first and second time.

Mr. Gear moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar;

Beatty, of Jasper; Beresheim, Bergh, Blake, Blakely, Bliss, Bonewitz, Butler, Cadwell, Campbell, Cardell, Carver, Close, Crawford, Danforth, Davis, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Flenniken, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Hovey, Irish, Johnston, Keables, Lee, Litzenberg, Maxwell, McAllister, McClure, Merrell, Miller, Newbold, O'Donnell, Paul, Peet, Perkins, Pratt, Reed, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Tufts, Tuttle, Van Deventer, Van Meter, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 81.

The nays were none.

Absent or excused—

Messrs. Blackman, Booth, Caldwell, Christoph, Clark, of Benton; Clarke, of Iowa; Davisson, Day, Evans, Hanan, Kasson, Leahy, McCoy, Mills, Morrison, Teale, Van Saun, Whitten, and Wood, of Story—Total, 19.

So the bill passed and the title was agreed to.

The Speaker announced as a committee of conference on the part of the House on the disagreeing vote on substitute for H. F. No. 12, Messrs. O'Donnell, Pratt, and Williams.

The Hour of adjournment having arrived, the Speaker declared the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, April 11th, 1872. }

House convened pursuant to adjournment.

The Speaker in the Chair.

Prayer by Rev. L. M. Walters.

Mr. Duncombe moved that the reading of the Journal be dispensed with.

The motion prevailed.

#### UNFINISHED BUSINESS.

Mr. Duncombe moved to take up the unfinished business of yesterday, the resolution offered by Mr. Beresheim in relation to adjournment.

Mr. Pratt offered the following substitute for the resolution :

*Resolved by the General Assembly of the State of Iowa :* 1st. That from and after Friday, the 12th day of April, inst., no bills

shall be introduced into either House of the General Assembly, except through the standing committees thereof.

2d. That from and after Wednesday, the 17th day of April, inst., no business shall be transacted in either House of the General Assembly, except such as may be necessary for the consideration and passage of the necessary bills for the new code, and to provide for the taking effect and publication of the same.

Mr. Kasson moved to amend the substitute by adding, "and the regular appropriation bills."

The amendment was adopted.

On the adoption of the substitute the yeas and nays were as follows :

The yeas were—

Messrs. Appleton, Beatty, of Cedar; Beatty, of Jasper; Blake, Bliss, Bonewitz, Cadwell, Campbell, Carver, Crawford, Day, Dayton, Dumont, Duncan, Durham Evans, Gear, Goodspeed, Hanson, Hewett, Hopkirk, Johnston, Kasson, Keables, Lee, Litzberg, Maxwell, McAllister, McCoy, Newbold, Pratt, Rice, Rule, Secor, Stedman, Struthers, Tasker, Tufts, Van Meter, Van Saun, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; and Mr. Speaker.—Total, 45.

The nays were—

Messrs. Ainsworth, Ballinger, Beresheim, Booth, Butler, Caldwell, Cardell, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Danforth, Davis, Davisson, Draper, Duncombe, Ericson, Flenniken, Freeman, Green, Hall, Heberling, Hilton, Hovey, Irish, Leahy, McClure, Merrell, Mills, O'Donnell, Paul, Perkins, Reed, Reuther, Rohlfis, Sandry, Schweer, Skillin, Stewart, Stow, Teale, Tuttle, Van Deventer, Williams, Wright, of Mills; and Wright, of Van Buren—Total, 46.

Absent or excused—

Messrs. Bergh, Blackman, Blakely, Ellsworth, Hanan, Miller, Morrisson, Peet, and Whitten—Total, 9.

So the substitute was lost.

Mr. Caldwell moved to strike out "2d Wednesday in February," and insert 3d Wednesday in January.

The amendment was adopted.

Mr. Campbell moved to amend the fourth resolution so as to read "no *per diem* shall be allowed between the present and adjourned session, nor at the adjourned session except for the full time in which the General Assembly shall be actually in session.

Mr. Wright, of Mills, moved to amend the amendment as follows : *Provided* the members during the extra session shall not receive *per diem* for a larger period than twenty days.

The amendment to the amendment was not adopted.

Mr. Leahy moved to amend the amendment as follows:

*Provided* such adjourned session shall not continue for more than thirty days from the day it convenes.

The motion prevailed.

The amendment as amended was adopted.

Mr. Rohlf's moved to amend by striking out the "16th day of April," and insert the "23d day of April, at 12 o'clock, M."

The amendment was adopted.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER: I am directed to inform your honorable body that the Senate has agreed to the report of the second Committee of Conference, on substitute for S. F. No. 1, and I herewith transmit the bill and amendments.

Also, that the Senate has amended House amendments to S. F. No. 190, A bill for an act making appropriations for the Agricultural College and Farm, by inserting after the word "other," and before the word "improvements," the word "farm."

In which amendment, the concurrence of the House is respectfully asked.

Also, S. F. No. 263, A bill for an act to remove the disabilities, of Mordecai Cropper, and to restore to him the right of citizenship.

Also, S. F. No. 264, A bill for an act to amend section 1, of chapter 6, acts of the 14th General Assembly relative to bridges.

J. A. T. HULL, *Secretary*.

Mr. Stedman moved to strike out 16, after the words "adjourned on the" and insert 24th. Strike out the balance of the first resolution. Strike out the second, third and fourth resolutions. Add, *Resolved*, That the new Code be referred back to the Commissioners with instructions to report to the 15th General Assembly.

The amendment did not prevail.

Mr. Pratt moved to postpone till to-morrow morning.

The motion did not prevail.

Mr. Beresheim moved to strike out "House of Representatives" and insert, the General Assembly of the State of Iowa.

The motion was adopted.

Mr. Evans moved to strike out the first part of the preamble.

The motion did not prevail.

Mr. Hall moved to strike out all the preamble.

The motion prevailed.

The question recurring on the adoption of the resolution as amended, the yeas and nays were demanded, and were as follows :

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beresheim, Blakely, Booth, Butler, Caldwell, Cardell, Christoph, Clark, of Benton;

Clarke, of Iowa; Close, Danforth, Davis, Davisson, Dayton, Dumont, Duncombe, Ericson, Flenniken, Freeman, Green, Hall, Heberling, Hilton, Hovey, Irish, Leahy, Litzenberg, Maxwell, McClure, Merrell, Miller, Mills, O'Donnell, Paul, Perkins, Reed, Renthner, Rohlf, Sandry, Schweer, Stewart, Stow, Tuttle, Van Deventer, Van Meter, Williams, Wood, of Clay; Wood, of Story; and Wright, of Van Buren—Total, 52.

The nays were—

Messrs. Beatty, of Cedar; Beatty of Jasper; Bergh, Blake, Bliss, Bonewitz, Cadwell, Campbell, Carver, Crawford, Day, Draper, Duncan, Durham, Evans, Gear, Goodspeed, Hanson, Hewett, Hopkirk, Johnston, Kasson, Keables, Lee, McAllister, McCoy, Newbold, Peet, Pratt, Rice, Rule, Secor, Skillin, Stedman, Struthers, Tasker, Teale, Tufts, Van Saun, Wilson, of Keokuk; Wilson, of Washington; Wright, of Mills; and Mr. Speaker—Total, 43.

Absent or excused—

Messrs. Blackman, Ellsworth, Hanan, Morrison, and Whitten—Total, 5.

So the resolution was adopted.

On motion of Mr. O'Donnell the motion to reconsider the vote by which S. F. No. 122, A bill for an act to permanently locate and provide for the erection and control of an additional penitentiary was lost, was taken up and considered.

The motion to reconsider prevailed.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ballinger, Beatty, of Cedar; Beresheim, Blake, Blakely, Bonewitz, Booth, Cadwell, Caldwell, Cardell, Carver, Campbell, Clark, of Benton; Clarke, of Iowa; Close, Day, Duncan, Durham, Duncombe, Ericson, Evans, Freeman, Gear, Green, Heberling, Hewett, Hopkirk, Hovey, Irish, Johnston, Kasson, Keables, Litzenberg, Maxwell, McAllister, McClure, Merrell, Miller, Mills, Newbold, O'Donnell, Paul, Peet, Perkins, Pratt, Reed, Rice, Rohlf, Rule, Sandry, Stedman, Struthers, Tasker, Teale, Tufts, Tuttle, Van Deventer, Wilson, of Keokuk; Wright, of Mills; and Mr. Speaker—Total, 60.

The nays were—

Messrs. Ainsworth, Appleton, Beatty, of Jasper; Bergh, Bliss, Butler, Christoph, Crawford, Danforth, Davis, Davisson, Dayton, Draper, Dumont, Flenniken, Goodspeed, Hall, Hanson, Hilton, Leahy, McCoy, Renthner, Schweer, Skillin, Stow, Van Meter, Van Saun, Williams, Wilson, of Washington; Wood, of Clay; Wood, of Story; and Wright, of Van Buren—Total, 31.

Absent or excused—

Messrs. Blackman, Ellsworth, Hanan, Lee, Morrison, Secor, Stewart Whitten and Wood, of Story—Total, 9.

So the bill passed and the title was agreed to.

Mr. Blake moved to take up the motion to reconsider the vote by which S. F. No. 183, the normal school bill, was lost.

Mr. Davisson moved to lay the motion on the table.

On the motion to lay on the table, Mr. Lee demanded the yeas and nays, which were as follows :

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beresheim, Blakely, Caldwell, Campbell, Christoph, Close, Crawford, Danforth, Davis, Davisson, Day, Dayton, Draper, Dumont, Duncan, Durham, Evans, Flenniken, Goodspeed, Hanson, Hilton, Hopkirk, Johnston, Keables, Lee, McAllister, McCoy, Peet, Reuther, Rice, Sandry, Schweer, Stewart, Stow, Teale, Tufts, Van Meter, Wilson, of Washington; Wood, of Story; and Wright, of Van Buren—Total, 46.

The nays were—

Messrs. Beatty, of Cedar; Beatty, of Jasper; Bergh, Blake, Bliss, Bonewitz, Booth, Butler, Cadwell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Duncombe, Ericson, Freeman, Gear, Green, Hall, Heberling, Hewett, Irish, Litzenberg, McClure, Merrell, Miller, Mills, O'Donnell, Paul, Perkins, Pratt, Reed, Rohlf, Rule, Secor, Skillin, Stedman, Struthers, Tasker, Tuttle, Van Deventer, Van Saun, Williams, Wilson, of Keokuk; Wood, of Clay; Wright, of Mills; and Mr. Speaker---Total, 44.

Absent or excused---

Messrs. Blackman, Ellsworth, Hanan, Hovey, Kasson, Leahy, Maxwell, Morrison, Newbold and Whitten---Total, 10.

So the motion to lay on the table did not prevail.

On the motion to reconsider, Messrs. Merrell and Irish demanded the yeas and nays, which were as follows :

The yeas were—

Messrs. Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blake, Bliss, Bonewitz, Booth, Butler, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Duncombe, Ericson, Freeman, Gear, Green, Hall, Heberling, Hewett, Hovey, Irish, Leahy, Litzenberg, McClure, Merrell, Miller, Mills, O'Donnell, Paul, Perkins, Pratt, Reed, Rohlf, Rule, Secor, Stedman, Struthers, Tasker, Tuttle, Van Deventer, Williams, Wilson, of Keokuk; Wood, of Clay; and Mr. Speaker—Total, 46.

The nays were—

Messrs. Ainsworth, Appleton, Ballinger, Blakely, Caldwell, Campbell, Christoph, Close, Crawford, Danforth, Davis, Davisson, Day, Dayton, Draper, Dumont, Duncan, Durham, Evans, Flenniken, Goodspeed, Hanson, Hilton, Hopkirk, Johnston, Keables, Lee, McAllister, McCoy, Peet, Reuther, Rice, Sandry, Schweer, Skillin, Stewart, Stow, Teale, Tufts, Van Meter, Van Saun, Wilson, of Washington; Wood, of Story; and Wright, of Van Buren—Total, 44.

Absent or excused—

Messrs. Blackman, Cadwell, Ellsworth, Hanan, Kasson, Maxwell, Morrison, Newbold, Whitten, and Wright, of Mills—Total, 10.

So the motion to reconsider prevailed.

The question recurring on the passage of the bill, the yeas and nays were as follows :

The yeas were—

Messrs. Beatty, of Cedar ; Beatty, of Jasper ; Bergh, Blake, Bliss, Bonewitz, Booth, Butler, Cadwell, Cardell, Carver, Clark, of Benton ; Clarke, of Iowa ; Duncombe, Ericson, Freeman, Green, Hall, Heberling, Hewett, Hovey, Irish, Kasson, Leahy, Litzenberg, McClure, Merrell, Miller, Mills, Newbold, Paul, Perkins, Pratt, Reed, Rohlf, Rule, Secor, Skillin, Stedman, Struthers, Tasker, Tuttle, Van Deventer, Williams, Wilson, of Keokuk ; Wood, of Clay ; and Mr. Speaker—Total, 47.

The nays were—

Messrs. Ainsworth, Appleton, Ballinger, Blakely, Caldwell, Campbell, Christoph, Close, Crawford, Danforth, Davis, Davisson, Day, Dayton, Draper, Dumont, Duncan, Durham, Evans, Flenniken, Gear, Goodspeed, Hanson, Hilton, Hopkirk, Johnston, Keables, Lee, McAllister, McCoy, O'Donnell, Peet, Reuther, Rice, Sandry, Schweer, Stewart, Stow, Teale, Tufts, Van Meter, Van Saun, Wilson, of Washington ; Wood, of Story ; and Wright, of Van Buren—Total, 45.

Absent or excused—

Messrs. Beresheim, Blackman, Ellsworth, Hanan, Maxwell, Morrison, Whitten, and Wright, of Mills—Total, 8.

So the bill not having received a constitutional majority failed to pass the House.

Mr. Davisson moved to take up the report of the Committee of Conference on S. F. No. 1.

The motion prevailed.

#### REPORT OF COMMITTEE OF CONFERENCE, NUMBER TWO.

The second Committee of Conference on the disagreeing votes of the two Houses upon the Senate amendments to the House amendments to Substitute for S. F. No. 1, having met after full and free conference, have agreed to and do report to their respective Houses the following :

That that the House recede from its disagreement to the Senate amendment of the first House amendment (being the second proviso in the bill) and adopt the same.



That the Senate amendment to the second House amendment (being the third proviso in the bill) be stricken out.

F. T. CAMPBELL,  
JOHN E. BURKE,  
*Managers on part of the Senate.*

D. D. DAVISSON,  
L. L. AINSWORTH,  
DAVID SECOR,  
*Managers on part of the House.*

Mr. Duncombe moved that the House adopt the report of the committee.

On the adoption of the report, the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Jasper; Bergh, Bonewitz, Booth, Caldwell, Campbell, Cardell, Carver, Christoph, Clarke, of Iowa; Close, Crawford, Davis, Davisson, Day, Dayton, Draper, Duncan, Duncombe, Durham, Ericson, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Johnston, Keables, Leahy, McAllister, McCoy, Merrell, Miller, Newbold, O'Donnell, Paul, Perkins, Pratt, Reed, Rice, Rohlf, Sandry, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Tuttle, Van Deventer, Van Meter, Van Saun, Williams, Wilson, of Washington; Wood, of Clay; Wright, of Van Buren; and Mr. Speaker—Total, 65.

The nays were—

Messrs. Beatty, of Cedar; Beresheim, Blake, Blakely, Butler, Cadwell, Clark, of Benton; Danforth, Dumont, Evans, Flenniken, Irish, Kasson, Lee, Litzenberg, Maxwell, McClure, Reuther, Rule, Schweer, Teale, Tufts, Wilson, of Keokuk; Wood, of Story, and Wright, of Mills—Total, 25.

Absent or excused—

Messrs. Blackman, Bliss, Ellsworth, Hanar, Hovey, Mills, Morrison, Peet, Secor, and Whitten—Total, 10.

So the report of the Conference was adopted.

#### REPORTS OF COMMITTEES.

Mr. Van Deventer, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bills, viz:

Joint resolution giving certain authority to the State Auditor

in respect to the credits claimed by the counties of Harrison, Howard, Marion, Jasper, Louisa, and Bremer, &c.

Also, H. F. No. 336, An act declaring the continuation of the incorporation of the town of Richland, and legalizing the election of officers thereof.

Also, H. F. No. 327, An act requiring cities to pay damages in certain cases.

Also, S. F. No. 98, An act to amend section 3305 of the Revision of 1860.

Also, S. F. No. 247, An act making valid certain deeds of town lots in the town of Sigourney.

Also, S. F. No. 139, An act to legalize certain bonds issued by the board of directors of the independent school district of Nashua, Chickasaw county, Iowa, &c.

Also, S. F. No. 245, An act to legalize the election of school directors of the independent school district of Camanche City.

Also, S. F. No. 136, An act to provide for surveying lands and lots in certain cases.

Also, S. F. No. 212, An act legalizing the acts of the boards of directors of the independent school district of Blakesburg, Wapello county, Iowa.

J. VAN DEVENTER, *Chairman*.

On motion of Mr. Carver, S. F. No. 21, A bill for an act to permanently locate the State Reform School, was taken up and considered.

The question recurring on the amendment offered by Mr. Leahy, the yeas and nays were demanded, which were as follows :

The yeas were—

Messrs. Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Bergh, Blake, Butler, Cadwell, Cardell, Christoph, Close, Danforth, Davis, Draper, Dumont, Duncan, Durham, Evans, Green, Hanson, Heberling, Hewett, Hilton, Johnston, Kasson, Keables, Leahy, Lee, Maxwell, McCoy, Miller, Reuther, Rice, Rohlf, Stedman, Tufts, Tuttle, Van Meter, Wilson, of Washington; Wood, of Story; and Wright, of Van Buren—Total, 41.

The nays were—

Messrs. Ainsworth, Beresheim, Bliss, Bonewitz, Booth, Caldwell, Campbell, Carver, Clark, of Benton; Clarke, of Iowa; Crawford, Day, Dayton, Duncombe, Ericson, Flenniken, Freeman, Gear, Goodspeed, Hall, Hopkirk, Irish, Litzenberg, McClure, Merrell, Mills, Newbold, O'Donnell, Peet, Perkins, Pratt, Reed, Rule, Sandry, Schweer, Secor, Skillin, Stewart, Stow, Struthers, Tasker, Teale, Van Saun, Williams, Wilson, of Keokuk; Wood, of Clay; and Mr. Speaker—Total, 47.

Absent or excused—

Messrs. Blakely, Blackman, Davisson, Ellsworth, Hanan, Hovey,

McAllister, Morrison, Paul, Van Deventer, Whitten, and Wright, of Mills—Total, 12.

So the amendment was not adopted.

The question recurring on the amendment offered by Mr. Caldwell, Mr. Ballinger moved to amend the amendment by striking out the proviso.

The motion prevailed.

The question being on the adoption of the amendment as amended, Mr. Butler demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Ballinger, Beresheim, Bonewitz, Caldwell, Carver, Heberling, Hewett, Hilton, Kasson, Keables, O'Donnell, Pratt, Sandry, Schweer, Stedman, Stow, Teale, Van Meter, and Wright, of Van Buren—Total, 19.

The nays were—

Messrs. Ainsworth, Appleton, Beatty, of Cedar; Beatty, of Jasper; Bergh, Blake, Bliss, Butler, Cadwell, Campbell, Cardell, Clarke, of Iowa; Close, Crawford, Danforth, Davis, Draper, Dumont, Duncan, Duncombe, Durham, Ericson, Evans, Flenniken, Freeman, Goodspeed, Hanson, Irish, Johnston, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Mills, Newbold, Peet, Perkins, Reed, Renther, Rice, Rohlf, Rule, Secor, Skillin, Stewart, Struthers, Tasker, Tufts, Van Saun, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; and Mr. Speaker—Total, 59.

Absent or excused—

Messrs. Blackman, Blakely, Booth, Christoph, Clark, of Benton; Davison, Day, Dayton, Ellsworth, Gear, Green, Hall, Hanan, Hopkirk, Hovey, Miller, Morrison, Paul, Tuttle, Van Deventer, Whitten, and Wright, of Mills—Total, 32.

So the motion to amend did not prevail.

Mr. Irish moved to suspend the rule and put the bill upon its passage.

The motion did not prevail.

The House ordered the bill engrossed for a third reading.

Mr. Irish moved that the rule be suspended, and the bill considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were —

Messrs. Ainsworth, Beatty, of Cedar; Beresheim, Bergh, Blake, Bliss, Bonewitz, Booth, Butler, Cadwell, Cardell, Carver, Clark, of Benton; Dayton, Duncombe, Durham, Evans, Freeman, Gear, Green, Hall, Hewett, Irish, Kasson, Keables, Lee, Litzenberg, McAllister, McClure, Merrell, Mills, O'Donnell, Perkins, Pratt,

Rohlf, Rule, Sandry, Secor, Skillin, Stedman, Stow, Struthers, Tufts, Tuttle, Van Saun, Williams, Wilson, of Keokuk; Wood, of Clay; Wright, of Mills; and Mr. Speaker—Total, 50.

The nays were—

Messrs. Appleton, Ballinger, Beatty, of Jasper; Blakely, Caldwell, Campbell, Christoph, Clarke, of Iowa; Close, Crawford, Danforth, Davis, Day, Draper, Dumont, Duncan, Ericson, Fleniken, Goodspeed, Hanson, Heberling, Hilton, Johnston, Leahy, Maxwell, McCoy, Miller, Newbold, Peet, Reed, Reuther, Rice, Schweer, Stewart, Tasker, Teale, Van Meter, Wilson, of Washington; Wood, of Story; and Wright, of Van Buren—Total, 40.

Absent or excused—

Messrs. Blackman, Davisson, Ellsworth, Hanan, Hopkirk, Hovey, Morrison, Paul, and Van Deventer—Total, 10.

So the bill not receiving a constitutional majority, was declared lost.

Leave of absence was granted to Mr. Van Deventer.

Mr. Hewett moved to take up S. F. No. 190, A bill for an act making an appropriation for the Agricultural Farm and College.

The motion prevailed.

The question recurring on concurring in the Senate amendment, the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blake, Blakely, Booth, Butler, Cadwell, Caldwell, Cardell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Day, Draper, Duncan, Duncombe, Durham, Ericson, Evans, Fleniken, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Hewett, Hilton, Hopkirk, Irish, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, McAllister, McClure, McCoy, Merrell, Miller, Mills, Newbold, O'Donnell, Peet, Perkins, Reed, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Tufts, Tuttle, Van Meter, Van Saun, Williams, Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren, and Mr. Speaker—Total, 81.

The nays were none.

Absent or excused—

Messrs. Blackman, Bliss, Bonewitz, Campbell, Davisson, Dayton, Dumont, Ellsworth, Hanan, Heberling, Hovey, Maxwell, Morrison, Paul, Pratt, Teale, Van Deventer, Whitten, and Wilson, of Keokuk—Total, 19.

So the House concurred in the Senate amendment.

Leave was granted Mr. Wood, of Clay, to introduce H. F. No. 434, A bill for an act authorizing the Auditor of State to issue his warrant on the State Treasurer in certain cases named therein.

Read a first and second time, and passed on file.

Leave was granted to Mr. Rholfs, from Committee on Compensation of Public Officers, to submit the following report :

MR. SPEAKER :—Your Committee on Compensation of Public Officers, to whom was referred a House Resolution, fixing the compensation per day of the officers and employees of the House, have had the same under consideration, and the minority of the said committee have instructed me to report the following substitute therefor and recommend its passage :

Chief Clerk, and 1st and 2d Assistant Clerks. \$7 00 per day.

Engrossing and Enrolling Clerks, each, \$6 00 per day.

Sergeant-at-Arms, \$4 00 per day.

Janitors, each, \$5 00 per day.

Doorkeeper, \$4 00 per day.

Paperfolders, each, \$3 00 per day.

Messengers, each, \$2 50 per day.

M. J. ROHLFS, *Chairman.*

MR. SPEAKER :—Your Committee on Compensation of Public Officers, to whom was referred a House resolution fixing the compensation per day of the officers and employees of the House, have had the same under consideration, and the majority of the said committee have instructed me to report the same back to the House with the following amendments: Strike out in lines 1 and 2 respectively, \$10 and \$8 and insert \$6. Strike out in line 3, \$7 and insert \$5. Strike out in line 4 and 5, \$5 and \$6 and insert \$4. Strike out for paperfolder \$4, and insert \$3. Strike out in the 7th line, \$3 and insert \$2, and as so amended, recommend its passage.

M. J. ROHLFS, *Chairman.*

The hour of 12 M. having arrived, the Speaker announced the House adjourned.

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TWO O'CLOCK, P. M.

House called to order by the Speaker.

By leave, Mr. Hilton introduced H. F. No. 425, A bill for an act to change the time of holding the circuit court in Monroe county.

The bill was read a first and second time.

Mr. Hilton moved that the rule be suspended and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blake, Blakely, Bliss, Bonewitz, Booth, Butler, Cadwell, Caldwell, Campbell, Cardell, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Davisson, Day, Dayton, Draper, Duncan, Duncombe, Durham, Ellsworth, Ericson, Freeman, Goode speed, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Irish, Johnston, Lee, Litzenberg, McAllister, McClure, McCoy, Mills, Newbold, O'Donnell, Peet, Perkins, Pratt, Reed, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Struthers, Tasker, Tufts, Tuttle, Van Meter, Van Saun, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 75.

The nays were none.

Absent or excused—

Messrs. Appleton, Ballinger, Blackman, Carver, Danforth, Davis, Dumont, Evans, Flenniken, Gear, Green, Hanan, Hovey, Kasson, Keables, Leahy, Maxwell, Merrell, Miller, Paul, Stow, Teale, Van Deventer, Whitten, and Wood, of Story—Total, 25.

So the bill passed and the title was agreed to.

By leave, Mr. Duncombe, from Judiciary Committee, submitted the following report:

MR. SPEAKER:—The Judiciary Committee, to whom was referred H. F. No. 181, report the same back, and recommend its passage.

J. F. DUNCOMBE, *Chairman*.

On motion of Mr. Peet, S. F. No. 264, A bill for an act to amend section 1, chapter 6, acts of the Fourteenth General Assembly, was taken up and read a first and second time.

Mr. Peet moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Beatty, of Cedar; Beatty, of Jasper; Beresheim, Blake, Blakely, Bliss, Bonewitz, Booth, Butler, Cadwell, Caldwell, Campbell, Cardell, Carver, Christoph, Clark, of Benton; Close, Crawford, Davis, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Ellsworth, Ericson, Gear, Hall, Hanson, Heberling, Hewett, Hopkirk, Irish, Johnston, Lee, Litzenberg, McAllister, McClure, McCoy, Mills, O'Donnell, Peet, Pratt, Reed, Reuther, Rice, Sandry, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Van Saun, Williams, Wilson, of Keokuk; Wilson, of Washington;

Wood, of Clay; Wright, of Van Buren; and Mr. Speaker—Total, 62

The nays were—

Messrs. Ballinger, Bergh, Danforth, Davisson, Durham, Evans, Fræman, Goodspeed, Hilton, Leahy, Merrell, Newbold, Rohlf, Sandry, Tufts, Van Meter, and Wright, of Mille—Total, 16.

Absent or excused—

Messrs. Ainsworth, Appleton, Blackman, Clarke, of Iowa; Fleniken, Green, Hanan, Hovey, Kasson, Keables, Maxwell, Miller, Morrison, Paul, Perkins, Rule, Schweer, Teale, Tuttle, Van Deventer, Whitten, and Wood, of Story—Total, 22.

So the bill passed and the title was agreed to.

Mr. Williams, from Committee on State University, submitted the following report:

MR. SPEAKER:—Your Committee on State University, to whom was referred H. F. No. 855, A bill for an act to create a State Historical Society, beg leave to report that they have had the same under consideration, and have instructed me to report back the substitute herewith submitted with the recommendation that the substitute do pass.

JAS. L. WILLIAMS, *Chairman.*

Mr. Butler, from Committee on Police Regulations, submitted the following report:

MR. SPEAKER:—Your Committee on Police Regulations, to whom was referred H. F. No. 199, A bill for an act for the protection of inn keepers, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, H. F. No. 96, A bill for an act to prevent the manufacture and sale of dangerous illuminating fluids, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

WM. BUTLER, *Chairman.*

On motion of Mr. Duncan H. F. No. 331, A bill for an act to repeal section 46, chapter 109, of the acts of the Thirteenth General Assembly, &c., was taken up and considered.

The bill was ordered engrossed for a third reading.

Mr. Pratt, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred S. F. No. 12, A bill for an act to legalize the official acts of H. B. Henderson, a notary public, beg leave to report that they have had the same under consideration, and have instructed



me to report the same back to the House with the recommendation that it do pass.

PRAATT, *Chairman.*

Mr. Pratt moved that the House adjourn at half-past three o'clock, this P. M.

The motion prevailed.

On motion of Mr. Bergh, H. F. No. 111, A bill for an act in relation to the State Library, &c., with report of committee recommending its passage, was taken up and considered.

Mr. Gear moved to amend by inserting after the words "he or his," the words "her or hers."

The motion prevailed.

Mr. Bergh moved to amend by offering for section one, the following:

*Be it enacted by the General Assembly of the State of Iowa,* That the Governor, the Judges of the Supreme Court, the Secretary of State, and the Superintendent of Public Instruction, shall by virtue of their offices, constitute a board of trustees of the State Library, of which the Governor shall be president.

The motion prevailed.

Mr. Hall moved to amend section 8, by striking out "\$1,000," and inserting "\$1,200."

The motion prevailed.

Mr. Bergh moved to amend by adding section 16: There is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, the sum of \$1,000 annually, to be expended by the board of trustees in the purchase of books for the library.

The amendment was adopted.

The bill was ordered engrossed for a third reading.

Mr. Leahy moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blake, Blakely, Bliss, Bonewitz, Booth, Butler, Cadwell, Campbell, Cardell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Irish, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, McAllister, McClure, Merrell, Miller, Newbold, O'Donnell, Perkins, Pratt, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stow, Struthers, Tasker, Tufts, Tuttle, Van Saun, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay;

Wood, of Story ; Wright, of Mills ; Wright, of Van Buren ; and Mr. Speaker—Total, 82.

The nays were—

Messrs. McCoy, Reed, Teale, and Van Meter—Total, 4.

Absent or excused—

Messrs. Blackman, Caldwell, Davisson, Day, Hanan, Hovey, Maxwell, Mills, Morrison, Peet, Paul, Stewart, Van Deventer, and Whitten—Total, 14.

So the bill passed, and the title was agreed to.

On motion of Mr. Green, H. F. No. 296, A bill for an act to promote water power improvement, was taken up and considered.

The hour having arrived for taking up bills on third reading, Mr. Gear moved that the order be postponed for five minutes.

The motion prevailed.

Mr. Green moved that the rule be suspended and the bill be considered engrossed and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar ; Beatty, of Jasper ; Beresheim, Blake, Blakely, Bliss, Bonewitz, Booth, Butler, Cadwell, Caldwell, Cardell, Clark, of Benton ; Clarke, of Iowa ; Close, Crawford, Danforth, Davis, Davisson, Day, Dayton, Duncan, Duncombe, Ellsworth, Ericson, Evans, Flenniken, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Hewett, Hopkirk, Hovey, Irish, Johnston, Keables, Lee, Litzenberg, McAllister, McClure, Merrell, Miller, Newbold, O'Donnell, Perkins, Pratt, Reed, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Tufts, Tuttle, Van Meter, Van Saun, Williams, Wilson, of Keokuk ; Wood, of Clay ; Wood, of Story ; Wright, of Mills ; Wright, of Van Buren ; and Mr. Speaker—Total, 75.

The nays were—

Messrs. Campbell, Durham, Hilton—Total, 3.

Absent or excused—

Messrs. Bergh, Blackman, Carver, Christoph, Draper, Dumont, Hanan, Heberling, Kasson, Leahy, Maxwell, McCoy, Mills, Morrison, Paul, Peet, Struthers, Tasker, Teale, Van Deventer, Whitten and Wilson, of Washington—Total, 22.

So the bill passed and the title was agreed to.

#### BILLS ON THIRD READING. -

H. F. No. 107, A bill for an act to enable townships, incorporated towns and cities which have heretofore or may hereafter vote a tax in aid of railroads, &c., was read a third time.

Mr. Irish moved to postpone the order of bills on third reading. The motion did not prevail.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Appleton, Ballinger, Beatty, of Jasper; Beresheim, Bergh, Blake, Bliss, Bonewitz, Booth, Cadwell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Danforth, Davis, Davisson, Dayton, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Green, Heberling, Hewett, Hilton, Irish, Johnston, Keables, Leahy, Litzenberg, McClure, McCoy, Miller, Perkins, Pratt, Reuther, Rice, Rohlf, Rule, Sandry, Secor, Skillin, Stedman, Struthers, Tasker, Teale, Tufts, Tuttle, Van Meter, Williams, Wilson, of Keokuk; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren and Mr. Speaker—Total, 62.

The nays were—

Messrs. Ainsworth, Beatty, of Cedar; Blakely, Campbell, Crawford, Day, Freeman, Gear, Goodspeed, Hall, Hanson, Hopkirk, Kasson, Lee, McAllister, Merrell, Newbold, O'Donnell, Reed, Schweer, Stewart, Stow, Van Saun, and Wilson, of Washington Total, 25.

Absent or excused—

Messrs. Blackman, Butler, Christoph, Caldwell, Draper, Hanan, Hovey, Maxwell, Mills, Morrison, Paul, Peet, Van Deventer, and Whitten—Total, 14.

So the bill passed and the title was agreed to.

H. F. No. 86, A bill for an act to amend chapter 61 of the Revision of 1860, &c., was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Appleton, Beatty, of Jasper; Blakely, Bonewitz, Booth, Cadwell, Campbell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Dayton, Dumont, Duncan, Duncombe, Freeman, Green, Hewett, Johnston, Kasson, Leahy, Merrell, Miller, Peet, Rice, Sandry, Secor, Stedman, Tasker, Teale, Williams, and Wood, of Clay—Total, 85.

The nays were—

Messrs. Ainsworth, Beatty, of Cedar; Beresheim, Bergh, Blake, Bliss, Christoph, Davisson, Day, Durham, Ellsworth, Ericson, Evans, Flenniken, Gear, Goodspeed, Hall, Hanson, Heberling, Hilton, Hopkirk, Irish, Keables, Lee, Litzenberg, McAllister, McClure, McCoy, Newbold, O'Donnell, Perkins, Pratt, Reed, Reuther, Rohlf, Schweer, Skillin, Stewart, Stow, Struthers, Tufts, Tuttle, Van Meter, Van Saun, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story; Wright, of Mills; Wright, of Van Buren and Mr. Speaker—Total, 50.

Absent or excused—

Messrs. Ballinger, Blackman, Butler, Caldwell, Cardell, Draper, Hanan, Hovey, Maxwell, Mills, Morrison, Paul, Rule, Van Deventer, and Whitten—Total, 15.

So the bill failed to pass the House for want of a constitutional majority.

H. F. No. 267, A bill for an act to devote the public square in Algona to court house purposes, was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Bergh, Blake, Blakely, Bliss, Bonewitz, Booth, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Flenniken, Green, Hewett, Johnston, Kasson, Keables, Leahy, Litzenberg, McAllister, McClure, McCoy, O'Donnell, Perkins, Pratt, Reed, Reuther, Rice, Secor, Skillin, Stedman, Stow, Struthers, Tasker, Tufts, Tuttle, Van Meter, Van Saun, Williams, Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 54.

The nays were—

Messrs. Ainsworth, Beresheim, Cadwell, Campbell, Cardell, Clarke, of Iowa; Danforth, Davis, Davisson, Day, Evans, Freeman, Goodspeed, Hall, Hanson, Heberling, Hilton, Hopkirk, Irish, Lee, Merrell, Miller, Newbold, Peet, Rohlf, Rule, Sandry, Stewart, Teale, Wilson, of Keokuk; and Wilson, of Washington—Total, 31.

Absent or excused—

Messrs. Blackman, Butler, Caldwell, Carver, Christoph, Gear, Hanan, Hovey, Maxwell, Mills, Morrison, Paul, Schweer, Van Deventer, and Whitten—Total, 15.

So the bill passed and the title was agreed to.

S. F. No. 75, A bill for an act pertaining to the division of civil townships, was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Jasper; Beresheim, Bergh, Blake, Blakely, Bonewitz, Booth, Cadwell, Campbell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ericson, Evans, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Irish, Johnston, Kasson, Keables, Leahy, Litzenberg, McClure, McCoy, Merrell, Miller, Newbold, O'Donnell, Paul, Peet, Perkins, Rice, Rohlf, Rule, Sandry, Skillin, Struthers, Tasker, Teale, Van Meter, Van

Sann, Williams, Wilson, of Keokuk; Wilson, of Washington; and Wright, of Van Buren---Total, 66.

The nays were—

Messrs. Ballinger, Beatty, of Cedar; Bliss, Christoph, Davisson, Day, Ellsworth, Flenniken, Lee, McAllister, Pratt, Reuther, Schweer, Secor, Stedman, Stewart, Stow, Tufts, Wood, of Clay; Wright, of Mills and Mr. Speaker—Total, 21.

Absent or excused—

Messrs. Blackman, Butler, Caldwell, Hanan, Hovey, Maxwell, Mills, Morrison, Reed, Tuttle, Van Deventer, Whitten and Wood, of Story—Total, 14.

So the bill passed and the title was agreed to.

By leave Mr. Miller submitted the following report from the Committee on Elections :

MR. SPEAKER:—Your Committee on Elections, to whom was referred H. F. No. 357, A bill for an act providing for the return of the poll books to the county auditor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

C. B. MILLER, *Chairman.*

By leave Mr. Durham submitted the following report :

MR. SPEAKER:—Your Committee on Charitable Institutions, to whom was referred H. F. No. 70, A bill for an act empowering township trustees to purchase grounds for cemetery puposes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be amended by striking out the word three in the first line of section three, and inserting one; and add the following at the end of the section: "in any one year," and as so amended the bill do pass.

D. T. DURHAM, *Chairman.*

By leave Mr. McAllister submitted the following report :

MR. SPEAKER:—Your Committee on Incorporations, to whom was referred H. F. No. 409, A bill for an act to legalize the acts of the Logan town company, Harrison county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

McALLISTER, *Chairman.*

The hour of adjournment having arrived, the Speaker declared the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, April 12, 1872. }

House convened pursuant to adjournment.

The Speaker in the chair.

Prayer by Rev. Dr. Murphy.

Mr. Beresheim moved that the reading of the Journal be dispensed with.

The motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked:

Substitute for S. F. No. 82, A bill for an act relating to the purchase or improvement of Agricultural fair grounds.

I am also directed to inform your honorable body that the Senate has concurred in House amendments to S. F. No. 122, A bill for an act to permanently locate and provide for the erection and control of an additional penitentiary.

Also, S. F. No. 197, A bill for an act making further appropriations for the Hospital for the Insane at Mt. Pleasant.

I am also directed to inform your honorable body that the Senate has passed the following bills without amendment:

H. F. No. 891, A bill for an act to legalize the tax in Emmet county, Iowa, for making and repairing bridges.

Also, H. F. No. 407, A bill for an act to legalize the acts of E. M. Brink, county auditor of Cedar county.

Also, H. F. No. 423, A bill for an act legalizing the amended articles of the incorporation of the Burlington and Southwestern Railway Company.

J. A. T. HULL, *Secretary*.

On motion of Mr. Beresheim, special order. H. F. No. 389, A bill for an act making further appropriation for the Deaf and Dumb Asylum, &c., with report of Committee recommending its passage, was taken up and considered.

Mr. Beresheim moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman Blakely, Bliss, Bonewitz, Booth, Cadwell, Campbell, Cardell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Crawford, Danforth, Day, Dayton, Dumont, Duncan, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Gear, Goodspeed, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Irish, Johnston, Keables, Leahy, Lee, Litzenberg, McClure, Merrell, Miller, Newbold, Perkins, Pratt, Reed, Reuther, Rice, Rohlf, Rule, Sandry, Schwerc, Skillin, Stewart, Stow, Struthers, Tasker, Teale, Tutts, Van Meter, Williams, Wilson, of Keokuk; Wood, of Clay; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 72.

The nays were none.

Absent or excused—

Messrs. Blake, Butler, Caldwell, Close, Davis, Davisson, Draper, Duncombe, Green, Hanan, Hovey, Kasson, Maxwell, McAllister, McCoy, Mills, Morrison, O'Donnell, Paul, Peet, Secor, Stedman, Tuttle, Van Deventer, Van Saun, Whitten, Wilson, of Washington; and Wood, of Story—Total, 28.

So the bill passed and the title was agreed to.

#### REPORTS OF COMMITTEES.

Mr. Bergh, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills ask leave to report that they have examined the following bills, and find the same correctly enrolled:

S. F. No. 197, A bill for an act making further appropriations for the Hospital for the Insane, at Mt. Pleasant.

Also, S. F. No. 122, A bill for an act to permanently locate and provide for the erection and control of an additional penitentiary.

Also, substitute for H. F. No. 9, A bill for an act for the protection of the life and health of miners.

KNUT E. BERGH, *Chairman pro tem.*

On motion of Mr. Pratt, S. F. No. 223, A bill for an act dividing the State into nine Congressional districts, with report of committee recommending its passage, was taken up and considered.

The bill was ordered engrossed and read a third time.

Mr. Pratt moved that the rule be suspended and the bill be considered engrossed and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:



The yeas were—

Messrs. Appleton, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Blackman, Blake, Booth, Caldwell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Davis, Davisson, Dumont, Duncan, Durham, Ellsworth, Ericson, Evans, Freeman, Gear, Goodspeed, Green, Hanson, Heberling, Hewett, Hopkirk, Johnston, Keables, Leahy, Lee, Litzenberg, McAllister, McClure, McCoy, Miller, Newbold, Perkins, Pratt, Rice, Rohlf, Rule, Secor, Struthers, Teale, Tufts, Van Meter, Van Saun, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wright, of Mills; and Mr. Speaker—Total, 57.

The nays were—

Messrs. Ainsworth, Ballinger, Bergh, Blakely, Bonewitz, Cadwell, Campbell, Christoph, Danforth, Day, Dayton, Duncombe, Flenniken, Hall, Hilton, Irish, Peet, Reed, Reuther, Sandry, Schweer, Skillin, Stewart, Stow, Tasker, Tuttle, and Wright, of Van Buren—Total, 28.

Absent or excused—

Messrs. Butler, Bliss, Cardell, Draper, Hanan, Hovey, Kasson, Merrell, Mills, Morrison, Maxwell, O'Donnell, Paul, Stedman, Van Deventer, Whitten and Wood, of Story—Total, 15.

So the bill passed and the title was agreed to.

On motion of Mr. Rohlf, S. F. No. 186, A bill for an act fixing the compensation of the General Assembly, &c., was taken up and read a first and second time and referred to Committee on Compensation of Public Officers.

On motion of Mr. Hewett, S. F. No. 147, A bill for an act to empower the board of trustees of the Agricultural College to grant diplomas, &c., with report of committee recommending its passage, was taken up and considered.

Mr. Hewett moved that the rule be suspended and the bill be considered engrossed and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Blakely, Bonewitz, Booth, Cadwell, Campbell, Cardell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Davisson, Day, Dayton, Dumont, Duncan, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Gear, Goodspeed, Green, Hanson, Heberling, Hewett, Hilton, Hopkirk, Johnston, Keables, Leahy, Lee, Litzenberg, McAllister, McClure, McCoy, Merrell, Miller, Newbold, O'Donnell, Peet, Perkins, Pratt, Reed, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Skillin,

Stewart, Stow, Struthers, Teale, Tuttle, Van Meter, Van Sann, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wright, of Mills; Wright, of Van Buren, and Mr. Speaker—Total, 80.

The nays were none.

Absent or excused—

Messrs. Bliss, Butler, Caldwell, Draper, Duncombe, Hall, Hanan, Hovey, Irish, Kasson, Maxwell, Mills, Morrison, Paul, Stedman, Tasker, Tufts, Van Deventer, Whitten, and Wood, of Story—Total, 20.

So the bill passed and the title was agreed to.

Mr. Bonewitz from Committee on County and Township Organizations, submitted the following report:

MR. SPEAKER:—Your Committee on County and Township Organizations, to whom was referred H. F. No. 48, A bill for an act to amend chapter 100 of the laws of the 12th General Assembly of the State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by striking out sections one and two thereof, and inserting the following, and as so amended without recommendation:

SEC. 1. Each organized civil township is hereby created a body corporate for civil and political purposes only, and as such may sue and be sued, and may do such acts and exercise such powers as may be allowed by law.

SEC. 2. The township trustees of each organized township shall declare that the road tax shall be paid in money when a majority of the tax payers in the township shall petition the trustees to that effect. Such petition shall order the trustees to let to the lowest responsible bidder or bidders, a contract for the making and repairing of the roads in their townships for that year. Such petition shall be presented to the board of trustees sixty days prior to their meeting in April.

Also, H. F. No. 406, A bill for an act to amend section 2 of chapter 115, of the laws of the 10th General Assembly, in relation to publishing tax list, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, H. F. No. 33, A bill for an act to authorize County Auditors to acknowledge deeds and other instruments in writing, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by inserting the following words: "And recorders" after auditors, in the fourth line, and as so amended that it do pass.

BONEWITZ, *Chairman.*

On motion of Mr. Stow S. F. No. 46, A bill for an act creating the 18th Judicial District, with report of committee recommending its passage was taken up and considered.

Mr. Wright moved that the bill be postponed until 2:30 p. m.

The motion prevailed.

Mr. Campbell moved to take up the motion to reconsider the vote by which the House passed H. F. No. 83, A bill for an act to repeal chapter 171, of the laws of the Twelfth General Assembly, &c.

Mr. Pratt moved to lay the motion on the table.

On the motion to lay on the table, Mr. Campbell and Mr. Irish demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Appleton, Beatty of Cedar; Beresheim, Blackman, Blake, Bliss, Bonewitz, Booth, Caldwell, Carver, Clark, of Benton; Crawford, Davis, Durham, Ellsworth, Ericson, Flenniken, Keables, Leahy, Litzenberg, McClure, Pratt, Secor, Stedman, Struthers, Tasker, Wright, of Mills, and Mr. Speaker—Total, 28.

The nays were—

Messrs. Ainsworth, Ballinger, Beatty of Jasper; Blakely, Butler, Cadwell, Campbell, Cardell, Christoph, Clarke, of Iowa; Close, Danforth, Davisson, Day, Dayton, Draper, Duncan, Duncombe, Evans, Freeman, Gear, Goodspeed, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Irish, Johnston, Lee, Maxwell, McAllister, McCoy, Merrell, Miller, Newbold, O'Donnell, Perkins, Reed, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Skillin, Stewart, Stow, Teale, Tufts, Tuttle, Van Meter, Van Saun, Williams, Wilson, of Keokuk; Wood, of Clay; and Wright, of Van Buren—Total, 58.

Absent or excused—

Messrs. Bergh, Dumont, Green, Hanan, Hovey, Kasson, Mills, Morrison, Paul, Peet, Van Deventer, Whitten, Wilson, of Washington; and Wood, of Story—Total, 14.

So the motion to lay the motion to reconsider on the table did not prevail.

The question recurring on the motion to reconsider, Mr. Ainsworth and Mr. Campbell demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Ainsworth, Ballinger, Beatty, of Jasper; Bergh, Blake, Blakely, Bonewitz, Butler, Campbell, Cardell, Christoph, Clarke, of Iowa; Danforth, Davisson, Day, Dayton, Draper, Duncan, Duncombe, Ericson, Freeman, Gear, Goodspeed, Hall, Hanson, Heberling, Hilton, Hopkirk, Irish, Johnston, Lee, Maxwell, McAllister, McCoy, Merrell, Miller, Newbold, O'Donnell, Reed, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Skillin, Stewart, Stow, Struthers, Teale, Tufts, Tuttle, Van Meter, Van Saun, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; and Mr. Speaker—Total, 58.

The nays were—

Messrs. Appleton, Beatty, of Cedar; Beresheim, Blackman, Bliss, Booth, Cadwell, Caldwell, Carver, Clark, of Benton; Close, Davis, Durham, Ellsworth, Evans, Flenniken, Keables, Leahy, Litzenberg, McClure, Perkins, Pratt, Stedman, Tasker, Wright, of Van Buren—Total, 25.

Absent or excused—

Messrs. Crawford, Dumont, Green, Hanan, Hewett, Hovey, Kasson, Mills, Morrison, Paul, Peet, Secor, Van Deventer, Whitten, Williams, Wood, of Story; and Wright, of Mills—Total, 17.

So the motion to reconsider prevailed.

The question recurring on the passage of the bill, the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Ballinger, Beatty, of Jasper; Bergh, Blake, Blakely, Butler, Campbell, Christoph, Danforth, Day, Dayton, Draper, Duncan, Duncombe, Evans, Freeman, Hall, Hanson, Heberling, Hilton, Hopkirk, Irish, Johnston, Maxwell, McAllister, McCoy, Miller, Newbold, O'Donnell, Peet, Reed, Rice, Rohlf, Rule, Sandry, Schweer, Skillin, Stewart, Stow, Struthers, Tuttle, Van Meter, and Wood, of Clay—Total, 44.

The nays were—

Messrs. Beatty, of Cedar; Beresheim, Blackman, Bliss, Bonewitz, Booth, Cadwell, Caldwell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Davis, Davisson, Dumont, Durham, Ellsworth, Ericson, Flenniken, Gear, Goodspeed, Hewett, Keables, Leahy, Lee, Litzenberg, McClure, Merrell, Perkins, Pratt, Renther, Secor, Stedman, Tasker, Tufts, Van Saun, Wilson, of Keokuk; Wilson, of Washington; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 43.

Absent or excused—

Messrs. Appleton, Green, Hanan, Hovey, Kasson, Mills, Morrison, Paul, Teale, Van Deventer, Whitten, Williams, and Wood, of Story—Total, 13.

So the bill not having received a constitutional majority, failed to pass the House.

On motion of Mr. Wood, of Clay, H. F. No. 387, A bill for an act to legalize the acts of the board of Supervisors of Emmet county, in funding outstanding county warrants, &c., with report of committee recommending its passage, was taken up and considered.

Mr. Wood, of Clay, moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty,

of Jasper; Beresheim, Bergh, Blackman, Blake, Bliss, Booth, Campbell, Cardell, Carver, Christoph, Clark, of Benton; Close, Crawford, Davis, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Goodspeed, Hall, Hanson, Heberling, Hewett, Hopkirk, Irish, Johnston, Keables, Leahy, Lee, Litzenberg, McAllister, McCoy, Merrell, Miller, Newbold, O'Donnell, Perkins, Pratt, Reed, Reuther, Rice, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struther, Tufts, Van Saun, Williams, Wilson, of Keokuk; Wood, of Clay; Wright, of Van Buren, and Mr. Speaker—Total, 67.

The nays were—

Messrs. Blakely, Evans, Freeman, Hilton, Tasker, Teale, Van Meter, and Wright, of Mills—Total, 8.

Absent or excused—

Messrs. Bonewitz, Butler, Cadwell, Caldwell, Clarke, of Iowa; Danforth, Davisson, Flenniken, Gear, Green, Hanan, Hovey, Kasson, Maxwell, McClure, Mills, Morrison, Paul, Peet, Rohlf, Tuttle, Van Deventer, Whitten, Wilson, of Washington; and Wood, of Story—Total, 25.

So the bill passed and the title was agreed to.

#### REPORTS OF COMMITTEES.

Mr. Bergh, from Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bills, viz.

S. F. No. 197, An act making further appropriation for the hospital for the insane at Mt. Pleasant.

S. F. No. 122, An act to permanently locate and provide for the erection and control of an additional penitentiary.

Substitute for H. F. No. 9, An act for the protection of the life and health of miners.

KNUT E. BERGH, *Chairman pro tem.*

On motion of Mr. Dayton, H. F. No. 414, A bill for an act for the relief of Geo. W. Carver, Allamakee county, with report of committee, recommending its passage, was taken up and considered.

Pending the consideration of the bill, Mr. Freeman moved the previous question, which was seconded by the House.

The question being on the engrossment of the bill, the House ordered the bill engrossed and to be read a third time.

Mr. Dayton moved that the rule be suspended, that the bill be considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, " Shall the bill pass ? " the yeas and nays were as follows :

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty of Jasper; Beresheim, Bergh, Blackman, Blake, Bliss, Bonewitz, Booth, Butler, Cadwell, Caldwell, Campbell, Cardell, Carver, Christoph, Clark, of Benton; Crawford, Danforth, Dumont, Duncan, Duncombe, Ellsworth, Ericson, Flenniken, Freeman, Gear, Goodspeed, Hall, Hanson, Heberling, Hilton, Hopkirk, Irish, Johnston, Keables, Litzenberg, Maxwell, Miller, Newbold, O'Donnell, Perkins, Pratt, Reed, Renther, Rice, Rohife, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tufts, Williams, Wilson, of Keokuk; and Wood, of Clay—Total, 62.

The nays were—

Messrs. Beatty, of Cedar; Blakely, Clarke, of Iowa; Close, Davis, Day, Dayton, Draper, Durham, Evans, Green, Kasson, Lee, McAllister, McClure, McCoy, Merrell, Tasker, Teale, Tuttle, Van Meter, Van Saun, Wright, of Mills; Wright, of Van Buren, and Mr. Speaker—Total, 25.

Absent or excused—

Messrs. Davisson, Hanan, Hewett, Hovey, Leahy, Mills, Morrison, Paul, Peet, Van Deventer, Whitten, Wilson, of Washington; and Wood, of Story—Total, 13.

So the bill passed and the title was agreed to.

Mr. Bergh, from Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—Your Committee on Enrolled Bills ask leave to report that they have examined the following resolutions, and find them correctly enrolled:

H. F. No. 391, A bill for an act to legalize the bridge tax of Emmet county, Iowa.

H. F. No. 423, A bill for an act to legalize the amended articles of incorporation of the Burlington and South-western Railway Company.

H. F. No. 407, A bill for an act to legalize the acts of E. M. Brink, as auditor of Cedar county, Iowa.

KNUT E. BERGH, *Chairman pro tem.*

On motion of Mr. Hall, H. F. No. 359, A bill for an act to empower cities and incorporated towns to construct and maintain water-works, &c., with report of committee recommending its passage, was taken up and considered.

The amendments recommended by the committee were adopted.

*Provided*, That no such water-works shall be ordered to be erected, or any contract entered into for the erection or maintaining



of such water works, except the same shall be ordered to be done by an affirmative vote of a majority of all the votes cast at any general or special city or town election, or by the affirmative vote of not less than four-fifths of the members of the council or trustees of such city or incorporated town.

The motion prevailed.

Mr. Beresheim moved to strike out of third line of section five, the word "fifty" and insert "twenty-five."

The motion prevailed.

Mr. Hall moved that the rule be suspended, that the bill be considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blakely, Bliss, Bonewitz, Butler, Cadwell, Campbell, Cardell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Danforth, Davisson, Day, Dayton, Dumon, Duncan, Duncombe, Durham, Ericson, Evans, Flenniken, Gear, Goodspeed, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Irish, Johnston, Kasson, Keables, Lee, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Newbold, O'Donnell, Perkins, Reuther, Rul, Sandry, Schweer, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Teale, Tufts, Tuttle, Van Meter, Van Saun, Williams, Wilson, of Keokuk; Wood, of Clay; Wright, of Van Buren; and Mr. Speaker—Total, 71.

The nays were none.

Absent or excused—

Messrs. Blackman, Blake, Booth, Caldwell, Close, Crawford, Davis, Draper, Ellsworth, Freeman, Green, Hanan, Hovey, Leahy, Miller, Mills, Morrison, Paul, Peet, Pratt, Reed, Rice, Rohlf, Secor, Van Deventer, Whitten, Wilson, of Washington; Wood, of Story; and Wright, of Mills—Total, 29.

The motion prevailed, and the bill was read a third time.

Mr. Ballinger moved to reconsider the vote by which S. F. No. 122 passed the House.

Mr. O'Donnell moved to lay the motion to reconsider on the table.

The motion prevailed.

Mr. Hall moved that the Railroad Committee be instructed to submit their report on H. F. No. 298, to-morrow morning.

Pending the consideration of which, the Speaker announced the House adjourned under the rule.



Two o'clock, P. M.

House called to order by the Speaker.

REPORTS OF COMMITTEES.

By leave, Mr. Kasson from the Committee on Ways and Means, submitted the following report :

MR. SPEAKER:—Your Committee on Ways and Means, to whom was referred H. F. No. 412, A bill for an act fixing the compensation for publication of delinquent tax lists, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended by striking out of the 4th and 5th lines of section 2, the words "act in good faith;" by striking out the words "in his power" at the end of said section, and inserting after the word "lowest" the word "practicable;" and also by striking out the word "fixing" in the title of the bill, and inserting in lieu thereof, the word "regulating," and that as so amended it do pass.

Also, H. F. No. 397, A bill for an act for the relief of the father and heirs of the late Jos. B. Dorr, Col. of the 8th Iowa Cavalry, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also, a joint resolution authorizing the Census Board to exchange certain lots in Des Moines, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be adopted with an amendment adding at the end the words "and without any other expense to the treasury."

Also, H. F. No. 283, A bill for an act providing for the completion of the geological survey of the State, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House without recommendation.

Also, H. F. No. 286, A bill for an act amendatory of chapter 25, acts of the 9th General Assembly entitled an act, &c., beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

Also, S. F. No. 144, A bill for an act to provide for issuing State bonds for losses to the permanent school fund, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass, as the losses provided for by the bill are not yet adjusted and the amount thereof is not yet known.

JOHN A. KASSON, *Chairman.*

By leave Mr. Kasson submitted the following resolution :

*Resolved*, That the Chief Clerk of this House be authorized to employ the additional clerks necessary to keep up the engrossing, enrolling, and other clerical work, from this day until the close of this session.

Mr. Pratt from the Committee on Judiciary submitted the following report :

MR. SPEAKER :—Your Committee on Judiciary, to whom was referred H. F. No. 872, A bill for an act to amend chapter 89 of the 13th General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass with the following amendment :

SEC. 2. Any person who may feel aggrieved by the action of any Board of Equalization in regard to the assessment of property, may appeal to the District or Circuit Court of the county in which said decision or order is made. And the proceedings shall be conducted and the case tried by the Court without the intervention of a jury.

H. O. PRATT, *Chairman*.

Mr. Newbold from the Committee on Schools submitted the following report :

MR. SPEAKER :—Your Committee on Schools, to whom was referred S. F. No. 145, A bill for an act to legalize the organization of the independent school district of Homer, Iowa, beg leave to report that they have had the same under consideration, and a majority of said committee have instructed me to report the same back to the House with the recommendation that it do pass.

Also, H. F. No. 421, A bill for an act to amend section 8, of chapter 143, of the acts of the Eleventh General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, H. F. No. 339, A bill for an act to amend chapter 172 of the Ninth General Assembly, passed April 8th, 1862, prescribing certain duties and fixing the compensation of the county superintendent of common schools, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, H. F. No. 393, A bill for an act to legalize the acts of the board of school directors of the independent school district of New Cherokee, Cherokee county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

J. G. NEWBOLD, *Chairman*.

The question recurring on the motion of Mr. Hall to take up H. F. No. 298, A bill for an act regulating railroads, the Committee on Railroads was instructed to report on said bill to-morrow morning, and the bill was made a special order for 9:30 A. M.

On motion of Mr. Irish, H. F. No. 355, A bill for an act to reorganize the State Historical Society, &c., with report of committee recommending a substitute, was taken up and considered.

Mr. Irish moved to amend by adding the following proviso to section 5:

*Provided*, That no compensation shall be paid to any officers except the corresponding secretary and librarian.

The amendment was adopted.

The substitute was adopted.

The House ordered the bill engrossed, and to be read a third time.

Mr. Irish moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Appleton, Beresheim, Bergh, Blake, Booth, Campbell, Cardell, Clark, of Benton; Danforth, Dayton, Dumont, Duncombe, Durham, Ericson, Freeman, Gear, Goodspeed, Green, Hall, Heberling, Irish, Keables, Leahy, McClure, Merrell, O'Donnell, Perkins, Secor, Stedman, Tasker, Tuttle, Williams, Wright, of Mills; and Mr. Speaker—Total, 34.

The nays were—

Messrs. Ainsworth, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Blakely, Bliss, Butler, Cadwell, Caldwell, Christoph, Clarke, of Iowa; Close, Crawford, Davis, Davisson, Day, Duncan, Evans, Flenniken, Hanson, Hilton, Hopkirk, Kasson, Lee, Litzenberg, McAllister, McCoy, Newbold, Pratt, Reuther, Rice, Rule, Sandry, Skillin, Stewart, Stow, Struthers, Teale, Tufts, Van Meter, Van Sann, Wood, of Clay; and Wright, of Van Buren—Total, 43.

Absent or excused—

Messrs. Blackman, Bonewitz, Carver, Draper, Ellsworth, Hanan, Hewett, Hovey, Johnston, Maxwell, Miller, Mills, Morrison, Paul, Peet, Reed, Rohlf, Schweer, Van Deventer, Whitten, Wilson, of Keokuk; Wilson, of Washington; and Wood, of Story—Total, 23.

So the bill not receiving a constitutional majority failed to pass the House.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body

that the Senate has passed the following bill, in which the concurrence of the House is asked :

S. F. No. 241, A bill for an act to legalize the gift, grant, sales, and conveyance of certain lands located with the script issued to Johnson county as indemnity for swamp lands, &c.

Also that the Senate has passed without amendment the following bills and joint resolutions :

H. F. No. 39, A bill for an act to provide for the preservation of fish in waters in the State of Iowa.

Also, H. F. No. 90, A bill for an act to amend chapter 29 of the acts of the Ninth General Assembly.

Also, H. F. No. 330, A bill for an act to amend article 7, chapter 22, Revision of 1860.

Also, H. F. No. 333, A bill for an act to determine the weight per bushel of certain undried fruits named herein.

Also, H. F. No. 420, A bill for an act to legalize the incorporation of the town of Sharon, Mahaska county, Iowa, and the acts of the officers thereof.

Also, H. F. No. 425, A bill for an act to change the time of holding the circuit court in Monroe county, Iowa.

Also, joint resolution relative to adjournment, and providing for reassembling on the third Wednesday of January, 1873.

J. A. T. HULL, *Secretary*.

Leave of absence was granted to Messrs. Rohlf, Wilson, of Washington; Wood, of Story; Wilson, of Keokuk; Hilton, Miller, Lee, Cadwell, and Gear.

By leave, Mr. Ballinger had leave to have the following protest entered upon the Journal :

The undersigned, appearing on the list of those voting aye on the final passage of the bill for an act to construct a new penitentiary at Anamosa, Iowa, for the following reason enters his protest against so appearing.

1st. He is unqualifiedly opposed to the erection of a new penitentiary, thus creating two prisons to be maintained at the expense of the State.

2d. Because he voted no on the passage of said bill, and changed his vote when he discovered said bill would pass, in order to move a reconsideration—that this fact was well understood by the House.

3d. That he was present during the entire forenoon session up to within three minutes of 12 o'clock; that he voted on a bill then on its passage, and left the House supposing that it was impossible to do more than to finish the roll call before the hour of adjournment, and that during this absence of three minutes the roll call on the bill then pending was completed, and the gentleman from

Johnson county made the motion to reconsider without any previous consultation with the undersigned, and without his consent.

WEBSTER BALLINGER.

April 12th, 1872.

BILLS ON THIRD READING.

H. F. No. 222, A bill for an act regulating the election of township trustees, &c., was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Beresheim, Blackman, Blake, Bonewitz, Booth, Butler, Cadwell, Caldwell, Campbell, Cardell, Carver, Clark, of Benton; Close, Crawford, Danforth, Day, Dayton, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Goodspeed, Green, Hall, Hanson, Heberling, Hopkirk, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, McAllister, McClure, Merrell, Newbold, O'Donnell, Perkins, Pratt, Reed, Reuther, Rice, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Teale, Tuttle, Van Saun, Williams, Wood, of Clay; Wright, of Mills; Wright, of Van Buren and Mr. Speaker—Total, 60.

The nays were—

Messrs. Ballinger, Beatty, of Cedar; Beatty, of Jasper; Blakely, Bliss, Christoph, Hilton, McCoy, Rule, and Tafts—Total, 10.

Absent or excused—

Messrs. Appleton, Bergh, Clarke, of Iowa; Davis, Davisson, Draper, Dumont, Gear, Hanan, Hewett, Hovey, Irish, Maxwell, Miller, Mills, Morrison, Paul, Peet, Rohlf, Van Deventer, Van Meter, Whitten, Wilson, of Keokuk; Wilson, of Washington; and Wood, of Story—Total, 30.

So the bill passed and the title was agreed to.

By leave Mr. Reed introduced H. F. No. 426, A bill in relation to the duties of County Auditors and the State Census Board.

Read a first and second time, and referred to committee with instructions to report on next Tuesday, at 9 o'clock P. M.

Mr. Bergh from Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills ask leave to report that they have examined the following joint resolution and find the same correctly enrolled:

A joint resolution fixing the time for the adjournment of the present session and the time of the convening of the adjourned session.

KUNT E. BERGH, *Chairman pro tem.*

Mr. Tufts, from the Committee on Claims, submitted the following report:

MR. SPEAKER:—Your Committee on Claims, to whom was referred S. F. No. 227, A bill for an act for the relief of James Jordan and Matilda Carter, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

TUFTS, *Chairman.*

Mr. Butler from Committee on Public Buildings submitted the following report:

MR. SPEAKER:—Your Committee on Public Buildings to whom was referred H. F. No. 241, A bill for an act to permanently locate and provide for the erection and control of an additional penitentiary to be located at Ft. Dodge, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

WM. BUTLER, *Chairman.*

Mr. Caldwell, from Committee on Railroads, submitted the following report:

MR. SPEAKER:—Your Committee on Railroads, to whom was referred H. F. No. 266, A bill for an act to regulate the collection of taxes voted in aid of the construction of railroads, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the accompanying substitute with recommendation that the said substitute do pass.

Also, H. F. No. 323, A bill for an act to regulate freights and charges, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House without recommendation.

S. T. CALDWELL, *Chairman.*

Mr. Pratt moved to adjourn.

The motion prevailed.

The House adjourned till to-morrow morning at 9 o'clock.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, April 13th, 1872. }

House convened pursuant to adjournment.

The Speaker in the Chair.

Prayer by Rev. L. M. Walters.

Mr. Teale moved that the reading of the Journal be dispensed with.

The motion prevailed.

Mr. Goodspeed moved to take up Senate messages.

The motion prevailed.

S. F. No. 130, A bill for an act to protect the credit of counties, &c.

Read a first and second time, and referred to Committee on Ways and Means.

S. F. No. 239, A bill for an act to legalize the town of Bufort, Iowa, &c.

Read a first and second time, and referred to Committee on Judiciary.

S. F. No. 130, A bill for an act to regulate city indebtedness, &c.

Read a first and second time, and referred to Committee on Ways and Means.

S. F. No. 244, A bill for an act to legalize the official acts of certain notaries public, &c.

Read first and second time.

On motion of Mr. Keables, the rule was suspended and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Jasper; Bergh, Blackman, Blake, Blakely, Bliss, Bonewitz, Booth, Butler, Caldwell, Cardell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Crawford, Davis, Dayton, Draper, Duncan, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Goodspeed, Hall, Hanson, Heberling, Johnston, Keables, Litzenberg, Maxwell, McClure, McCoy, Merrell, Miller, Newbold, Perkins, Pratt, Reed, Reuther, Rice, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Tufts, Van Meter, Van Saun, Whitten, Wood, of Clay; Wright, of Mills; and Wright, of Van Buren, and Mr. Speaker—Total, 65.

The nays were—

Messrs. Bereshiem, Day, Hopkirk—Total, 3.

Absent or excused—

Messrs. Beatty, of Cedar; Cadwell, Campbell, Close, Danforth,



Davisson, Dumont, Duncombe, Gear, Green, Hanan, Hewett, Hilton, Hovey, Irish, Kasson, Leahy, Lee, McAllister, Mills, Morrisson, O'Donnell, Paul, Peet, Rohlf, Teale, Tuttle, Van De-venter, Williams, Wilson, of Keokuk; Wilson, of Washington; and Wood, of Story.—Total, 32.

So the bill passed and title was agreed to.

Leave was granted to Mr. Pratt to submit the following report from the comitted to arrange and classify the bills pending before the House :

MR. SPEAKER :—Your Committee appointed to arrange the order upon which bills now pending before the House should be considered, have had the same under consideration, and have instructed me to make the following report :

Your committee have arranged bills in three classes, designated as 1st, 2d, and 3rd classes.

The following bills have been placed in the first class :

ORDER OF BUSINESS.

*First Class.*

No.	No.
House File, Substitute..... 59.	House File.....261.
House File, Substitute..... 77.	House File, Substitute.....268.
House File.....100.	House File.....312.
House File.....126.	House File, Substitute.....325.
Senate File.....145.	House File.....357.
House File.....152.	House File.....358.
House File, Substitute.....155.	House File.....365.
House File.....194.	House File.....366.
House File.....205.	House File.....367.
House File.....219.	House File.....372.
Hcuse File.....224.	House File.....384.
Senate File.....227.	House File.....393.
House File.....239.	House File.....406.
House File.....246.	House File.....409.
House File.....251.	House File.....412.

The following bills have been placed in the second class, to-wit :

No.	No.
House File..... 70.	House File.....303.
House File.....126.	House File.....348.
House File.....201.	House File.....375.
House File.....206.	House File.....383.
House File.....250.	House File.....395.
House File.....293.	

All other bills are placed in the third class.

Your Committee recommend that the following rules be adopted and made orders of the House :

1st. No bills of the second class shall be in order until bills of the first class are disposed of.

2d. No bill of the third class shall be in order until bills of the second class are disposed of.

3d. That all bills of each class shall be taken up in the order in which they are arranged in this report.

4th. That it shall be competent for a majority to take up a bill out of its order in the class in which it has been assigned.

5th. That it shall require a two-thirds majority to take up a bill out of its class.

6th. Senate bills and legalizing bills hereafter reported shall be assigned to the first class.

H. O. PRATT, *Chairman.*

By leave, Mr. Goodspeed offered the following resolution, which was adopted.

*Resolved by the House of Representatives of the State of Iowa,* That from and after April 13th, 9:30 A. M., no member of this House shall occupy more than five minutes in discussing any subject under consideration without the unanimous consent of the House.

Leave of absence was granted to Messrs, Beatty, of Cedar, Van Saun, Davisson, Leahy, and Van Meter.

Mr. Bergh, from Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER :—The Committee on Enrolled Bills respectfully report that they have, on the 12th of this month, presented to the Governor for his approval the following bills, viz :

S. F. No. 240, An act to amend chapter two of the acts of the Thirteenth General Assembly.

Also, S. F. No. 237, An act to legalize the incorporation of the town of Drakeville.

Also, S. F. No. 232, An act to legalize the acts of the independent school district of Grand Junction, Iowa.

Also, H. F. No. 364, An act to legalize the incorporation of the town of Ackley, Iowa.

Also, H. F. No. 385, An act to legalize the acts of the board of supervisors of Hancock county.

Also, H. F. No. 169, An act to amend chapter 98, of the acts of the Twelfth General Assembly, in relation to indebtedness of school districts.

Also, joint resolution in relation to an adjournment of the General Assembly.

Also, S. F. No. 88, An act to amend chapter 53 of the Revision of 1860.

Also, S. F. No. 27, An act to regulate the manufacture and sale of certain oils.

Also, H. F. No. 347, An act requiring the publication of the receipts and disbursements of the funds of independent school districts.

Also, H. F. No. 22, An act to authorize and regulate the improvement of streets and alleys.

Also, H. F. No. 423, An act legalizing the articles of incorporation of the Burlington and Southwestern Railroad.

Also, H. F. No. 369, An act to legalize the incorporation of the town of Clear Lake.

Also, H. F. No. 407, An act to legalize the acts of E. M. Brink.

Also, H. F. No. 391, An act to legalize the tax in Emmet county.

KNUT E. BERGH, *Chairman.*

S. F. No. 241, A bill for an act to legalize the gifts, grants, sales, &c., of lands located with the script issued to Johnson county, &c., was taken up, read a first and second time, and referred to Committee on Judiciary.

Mr. Dayton moved to reconsider the vote by which H. F. No. 414, A bill for an act for the relief of J. W. Carver, was lost, and that the consideration of the same be postponed.

Mr. Stow moved to take up S. F. No. 46, A bill for an act creating the Thirteenth Judicial District.

The motion prevailed.

Mr. Stow moved to amend the committee amendments by striking out "Harrison" and inserting "Cass."

The motion prevailed, and the amendment, as amended, was adopted.

The second and third amendments recommended by the Committee were adopted.

Mr. Stow moved to amend section 3 by adding after "Monona," "Harrison."

The amendment was adopted.

Mr. Stow moved to amend section 4 by striking out "Cass."

The amendment was adopted.

The fourth and fifth amendments recommended by the committee were adopted.

Mr. Stow moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Jasper; Beresheim, Bergh, Blackman, Blakely, Bliss, Bonewitz, Booth,

Butler, Cadwell, Caldwell, Cardell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Day, Dayton, Draper, Dumont, Duncan, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Goodspeed, Hall, Hanson, Hopkirk, Irish, Johnston, Keables, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Miller, Newbold, O'Donnell, Perkins, Pratt, Reed, Reuther, Rice, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Tufts, Van Meter, Van Saun, Williams, Wood, of Clay; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 73.

The nays were none.

Absent or excused—

Messrs. Beatty, of Cedar; Blake, Campbell, Davisson, Duncombe, Gear, Green, Hanan, Heberling, Hewett, Hilton, Hovey, Kasson, Leahy, Lee, Mills, Morrison, Paul, Peet, Rohlf, Teale, Tuttle, Van Deventer, Whitten, Wilson, of Keokuk; Wilson, of Washington; and Wood, of Story—Total, 27.

So the bill passed and the title was agreed to.

Mr. Caldwell, from the Committee on Railroads, submitted the following report:

MR. SPEAKER:—Your Committee on Railroads, to whom was referred H. F. No. 298, A bill for an act to regulate railroads, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that as amended it do pass.

1st. Strike out the first section.

2d. Strike out the second section.

3d. Strike out the fifth section.

4th. Amend the 6th section by striking out "150," and inserting "300," and striking out in the same section "400," and inserting "1000;" also, strike out "\$200," and insert "\$100;" also, by adding to the 6th section, "*Provided*, That on trains approaching any highway, the engineer shall ring the bell and sound the whistle when within two hundred yards of the same, and shall continue to ring the bell and sound the whistle until they shall have crossed said highway.

S. T. CALDWELL, *Chairman*.

Mr. Pratt, from the Committee on the Judiciary, submitted the following report:

MR. SPEAKER:—Your Committee on the Judiciary, to whom was referred H. F. No. 159, A bill for an act to amend section 1583, of chapter 64, of the Revision of 1860, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be referred to the Committee on the Suppression of Intemperance, as the appropriate Committee to consider the subject matter thereof.

Also, H. F. No. 172, A bill for an act to legalize the acts of Henry Hospers, done while acting justice of the peace in Holland township, Sioux county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, H. F. No. 400, A bill for an act to allow district and circuit judges to interchange and hold each other's courts, beg leave to report that they have had the same under consideration, have instructed me to report the same back to the House with the recommendation that it do pass.

Also, H. F. No. 890, A bill for an act providing for the payment of bonds issued under chapter 58 of the laws of the Fourteenth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, H. F. No. 167, A bill for an act to amend section 2366 of the Revision of 1860, relating to the estates of decedants, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the the recommendation that it do pass.

Also, H. F. No. 357, A bill for an act to determine the rights of illegitimate children, and to provide remedies in certain cases, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, H. F. No. 405, A bill for an act to submit the question of a license law to the people at the next general election, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be referred to the Committee on the Suppression of Intemperance.

Also, H. F. No. 28, A bill for an act to amend section 3141 of the Revision of 1860, beg leave to report that they have had the same under consideration, and a majority of said committee have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, H. F. No. 160, A bill for an act to provide for locating, establishing and constructing ditches, drains and water-courses, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, H. F. No. 186, A bill for an act to amend section 1 of chapter 151 of the laws of the Ninth General Assembly, in relation to widow's dower, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, H. F. No. 51, A bill for an act to amend section 2, chapter 173, Ninth General Assembly, and to harmonize the office of town and city assessor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, H. F. No. 394, A bill for an act concerning the transfer and conveyance of real estate by counties, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

H. F. No. 44, A bill for an act to repeal chapter 101 of the Revision of 1860; chapter 126 of the laws of the Thirteenth General Assembly, and to define certain rights of married women, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, H. F. No. 396, A bill for an act to legalize deeds and conveyances made by executors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended by striking out the words "so authorized" in fifth line of first section and inserting the words "and authorized by the laws or the orders of any court of any other State," and recommend that it do pass as amended.

Also, S. F. No. 111, A bill for an act to amend sec. 2800 of the Revision of 1860, so as to limit the revenue in actions upon negotiable paper to a county wherein some of the makers shall reside, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, H. F. No. 415, A bill for an act to authorize the sale of certain lands donated to the State for the use of the Iowa Soldiers' Orphans Home, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

H. O. PRATT, *Chairman.*

Mr. Heberling, from Committee on Judiciary, submitted the following report:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred Sub. for H. F. No. 264, A bill for an act in relation to the equalization of assessments, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

HEBERLING, *for the Committee.*

Mr. Hopkirk, from the the Committee on Roads and Highways, submitted the following report :

MR. SPEAKER :—Your Committee on Roads and Highways, to whom was referred H. F. No. 353, A bill for an act to amend chapter 6 of the acts of the 14th General Assembly, entitled " An act authorizing the appropriation of money to build bridges," beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

WILLIAM HOPKIRK, *Chairman.*

The hour having arrived for the consideration of the special order H. F. No. 398, Mr. Hall moved that the same be postponed till Tuesday, April 16th, at 10 o'clock, A. M.

The motion prevailed.

S. F. No. 151, A bill for an act to amend chapter 172, acts of the Ninth General Assembly, &c., was read a first and second time, and referred to Committee on Schools.

S. F. No. 216, A bill for an act providing that district and circuit judges shall fix the time for holding courts in their respective districts, &c., was read a first and second time, and referred to Judiciary Committee.

S. F. No. 106, A bill for an act to amend section 1329, of the Revision of 1860, &c., was read a first and second time, and referred to Railroad Committee.

S. F. No. 215, A bill for an act to amend chapter 148, acts of the Thirteenth General Assembly, &c., was read a first and second time, and referred to Judiciary Committee.

S. F. No. 248, A bill for an act to legalize the organization of Ames, Story county, Iowa, was read a first and second time, and referred to Judiciary Committee.

S. F. No. 238, A bill for an act to legalize the ordinances of the city of Waverly, Iowa, was read a first and second time, and referred to Committee on Judiciary.

S. F. No. 261, A bill for an act to legalize the acts of Poweshiek county board of supervisors, &c., was read a first and second time.

Mr. Cardell moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, " Shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Jasper ; Beresheim, Bergh, Blackman, Blake, Blakely, Bonewitz, Booth, Butler, Caldwell, Cardell, Carver, Christoph, Clark, of Benton ; Clarke, of Iowa ; Close, Crawford, Danforth, Davis, Day Dayton, Draper, Dumont, Duncan, Durham, Ellsworth, Ericson, Evans,



Flenniken, Freeman, Goodspeed, Green, Hall, Hanson, Heberling, Hopkirk, Irish, Johnston, Keables, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrill, Miller, Newbold, O'Donnell, Perkins, Pratt, Reed, Reuther, Rice, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Tufts, Tuttle, Van Meter, Van Saun, Whitten, Williams, Wood, of Olay; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker.—Total, 76.

The nays were none.

Absent or excused—

Messrs. Beatty, of Cedar; Bliss, Oadwell, Campbell, Davisson, Duncombe, Gear, Hanan, Hewett, Hilton, Hovey, Kasson, Leahy, Lee, Mills, Morrison, Paul, Peet, Rohls, Teale, Van Deventer, Wilson, of Keokuk; Wilson, of Washington; and Wood, of Story—Total, 24.

So the bill passed and the title was agreed to.

S. F. No. 67, A bill for an act requiring indexes to be kept to the register of tax sales, was taken up and read a first and second time and referred to Committee on Judiciary.

S. F. No. 137, A bill for an act to provide for the unlawful driving off of cattle, &c., was read a first and second time, and referred to Committee on Agriculture.

S. F. No. 82, A bill for an act relating to the purchase, &c., of fair grounds, was read a first and second time.

Mr. Ellsworth moved to amend as follows:

*Provided*, That no part of said tax shall be used in preparing drives in said grounds for horse racing either by running, trotting, or pacing thereon, affording opportunities for betting thereon.

The amendment was not adopted.

Mr. Wood, of Olay, offered the following amendment:

*Provided*, That no horses, mares or mules shall be permitted upon the fair grounds. This amendment being for the purpose of preventing horse racing, and making our county fairs as solemn as possible.

The amendment was adopted.

On motion of Mr. Hall, the bill was referred to Committee on Charitable Institutions.

S. F. No. 268, A bill for an act to remove the disability of Mordecai Cropper, &c., was read a first and second time and referred to Committee on Judiciary.

S. F. No. 230, A bill for an act to amend section 1, chapter 6, acts of the Fourteenth General Assembly, &c., was read a first and second time, and referred to Committee on Roads and Highways.

The joint resolution in relation to appointing trustees for the Iowa Hospital for the Insane at Independence, was taken up and adopted.

The joint resolution in regard to the appointment of trustees for the Blind Asylum, was taken up and read.

Mr. Ainsworth moved to strike out "Kephart."

On motion of Mr. Davis, the resolution was passed on file.

The joint resolution in relation to claimants on swamp lands, &c., was taken up and adopted.

The joint resolution in relation to establishing a highway on the Agricultural College Farm was taken up and adopted.

H. F. No. 403, A bill for an act to legalize the acts of John L. Robinson, a Justice of the Peace, was taken up and the question recurring on concurring in the Senate amendment, the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Bliss, Bonewitz, Booth, Butler, Caldwell, Cardell, Carver, Christoph, Clark, of Benton; Close, Crawford, Danforth, Davis, Day, Dayton, Draper, Dumont, Duncan, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Goodspeed, Green, Hall, Hanson, Hopkirk, Irish, Johnston, Kasson, Keables, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Newbold, O'Donnell, Perkins, Pratt, Reed, Rice, Rule, Sandry, Schweer, Secor, Skillin, Stewart, Stow, Struthers, Tasker, Tufts, Tuttle, Van Sann, Whitten, Williams, Wood, of Olay; Wright, of Mills; Wright, of Van Buren, and Mr. Speaker—Total, 71.

The nays were none.

Absent or excused—

Messrs. Beatty, of Cedar; Blakely, Cadwell, Campbell, Davisson, Duncombe, Gear, Hanan, Heberling, Hewett, Hilton, Hovey, Leahy, Lee, Miller, Mills, Morrison, Paul, Peet, Reuther, Rohlf, Stedman, Teale, Van Deventer, Van Meter, Wilson, of Keokuk; Wilson of Washington; and Wood, of Story—Total, 29.

So the House concurred in the Senate amendment.

The joint resolution in regard to State Printing material was taken up and adopted.

The joint resolution in relation to the compensation of Postmaster and Assistant Postmaster of the General Assembly was taken up and referred to the Committee on Compensation of Public Officers.

By leave Mr. Kasson introduced H. F. No. 427, An act making appropriations for the payment of the mileage of the 14th General Assembly.

Read a first and second time.

Mr. Kasson moved that the rule be suspended, that the bill be considered engrossed and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Blakely, Bliss, Bonewitz, Booth, Butler, Caldwell, Campbell, Cardell, Carver, Clarke, of Iowa; Close, Danforth, Davis, Day, Dayton, Dumont, Duncan, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Goodspeed, Green, Hall, Hanson, Heberling, Hopkirk, Irish, Johnston, Kasson, Keables, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Newbold, O'Donnell, Perkins, Pratt, Reed, Reuther, Rice, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Tufts, Tuttle, Van Meter, Van Saun, Williams, Wood, of Clay; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 73.

The nays were none.

Absent or excused—

Messrs. Beatty, of Cedar; Cadwell, Christoph, Clark, of Benton; Crawford, Davisson, Draper, Duncombe, Gear, Hanan, Hewett, Hilton, Hovey, Leahy, Lee, Miller, Mills, Morrison, Paul, Peet, Rohlf, Teale, Van Deventer, Whitten, Wilson, of Keokuk; Wilson, of Washington; and Wood, of Story;—Total, 27.

So the bill passed and the title was agreed to.

Mr. Pratt, from the Committee on the Judiciary, submitted the following report:

MR. SPEAKER:—Your Committee on the Judiciary, to whom was referred H. F. No. 379, A bill for an act to legalize and confirm the sale and conveyance of the swamp lands of Pocahontas county, Iowa, which are now patented to said county, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

H. O. PRATT, *Chairman*.

By leave, Mr. Irish introduced H. F. No. 428, A bill for an act to reorganize the State Historical Society.

Read a first and second time.

Mr. Irish moved that the rule be suspended, that the bill be considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Jasper; Beresheim, Bergh, Blake, Bliss, Bonewitz, Booth, Butler, Caldwell, Campbell, Cardell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Day, Dayton, Dumont,

Duncan, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Goodspeed, Green, Hall, Hanson, Heberling, Hopkirk, Irish, Johnston, Kasson, Litzenberg, Maxwell, McClure, McCoy, Merrell, Miller, Newbold, O'Donnell, Perkins, Pratt, Reed, Reuther, Rice, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Struthers, Tasker, Tafts, Tuttle, Van Saun, Williams, Wood, of Clay; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 70.

The nays were none.

Absent or excused—

Messrs. Beatty, of Cedar; Blackman, Blakely, Cadwell, Davisson, Draper, Duncombe, Gear, Hewett, Hilton, Hanan, Hovey, Keables, Leahy, Lee, McAllister, Mills, Morrison, Paul, Peet, Rohlf, Stewart, Stow, Teale, Van Deventer, Van Meter, Whitten, Wilson, of Keokuk; Wilson, of Washington; and Wood, of Story—Total, 30.

So the bill passed and the title was agreed to.

On motion of Mr. Keables substitute for H. F. No. 163, A bill for an act to protect the insane, was taken up and considered.

The question recurring on the amendment offered by Mr. Ainsworth, Mr. Keables moved to amend the amendment as follows:

Strike out all after the word "sane," and insert "unless otherwise ordered by the visiting committee, which order shall continue in force until countermanded by said committee."

The motion to amend the amendment was adopted.

The amendment, as amended, was adopted.

Mr. Keables moved to amend by inserting after section 1: "Said committee shall make an annual report to the Governor of the State."

The amendment was adopted.

Mr. Keables moved to amend as follows: After the word "provided," in section 2, strike out "this letter is sent," and insert "the superintendent may, if he thinks proper, send letters addressed to other parties."

The motion prevailed.

Mr. Keables moved to amend the 4th section by striking out all after the word "thereto."

The motion prevailed.

The bill was ordered engrossed, and read a third time.

On motion of Mr. Hall, H. F. No. 390, A bill for an act providing for the payment of bonds issued under chapter 58 of the laws of the Fourteenth General Assembly, with report of committee recommending its passage, was taken up and considered.

Mr. Hall moved that the rule be suspended, and the bill considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Blakely, Bliss, Bonewitz, Butler, Caldwell, Campbell, Cardell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Day, Dayton, Draper, Dumont, Duncan, Durham, Ericson, Evans, Flenniken, Freeman, Goodspeed, Green, Hall, Hanson, Heberling, Hopkirk, Irish, Johnston, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Miller, Newbold, O'Donnell, Perkins, Pratt, Reed, Reuther, Rice, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Tufts, Tuttle, Williams, Wood, of Clay; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 72.

The nays were none.

Absent or excused —

Messrs. Beatty, of Cedar; Booth, Cadwell, Davisson, Duncombe, Ellsworth, Gear, Hanan, Hewett, Hilton, Hovey, Kasson, Keables, Leahy, Lee, Mills, Morrison, Paul, Peet, Rohlf, Teale, Van Deventer, Van Meter, Van Saun, Whitten, Wilson, of Keokuk; Wilson, of Washington; and Wood, of Story—Total, 28.

So the bill passed and the title was agreed to.

By leave, Mr. Ainsworth introduced H. F. No. 429, A bill for an act legalizing the establishment of roads by county judges and auditors.

The bill was read a first and second time.

Mr. Ainsworth moved that the rule be suspended and the bill be considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Jasper; Beresheim, Bergh, Blackman, Blakely, Bliss, Bonewitz, Booth, Butler, Caldwell, Campbell, Cardell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Day, Dayton, Draper, Dumont, Duncan, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Hall, Hanson, Heberling, Hopkirk, Irish, Johnston, Keables, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Miller, Newbold, O'Donnell, Pratt, Reed, Reuther, Rice, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stow, Struthers, Tasker, Tufts, Tuttle, Van Saun, Williams, Wood, of Clay; Wright, of Van Buren; and Mr. Speaker—Total, 70.

The nays were—

Messrs. Goodspeed and Wright, of Mills—Total, 2.

Absent or excused—

Messrs. Beatty, of Cedar; Blake, Oadwell, Davisson, Duncombe, Gear, Green, Hanan, Hewett, Hilton, Hovey, Kasson, Leahy, Lee, Mills, Morrison, Paul, Peet, Perkins, Rohlf, Stewart, Teale, Van Deventer, Van Meter, Whitten, Wilson, of Keokuk; Wilson, of Washington, and Wood, of Story—Total, 28.

So bill passed and the title was agreed to.

Mr. Tufts, from the Committee on Claims, submitted the following report:

MR. SPEAKER:—Your Committee on Claims, to whom was referred H. F. No. 288, A bill for an act to provide for paying the claim of D. E. Lyon for foreclosing a certain school fund mortgage in behalf of the State, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, a petition of Joseph Metz for pecuniary relief for damages received while an inmate of the State Penitentiary, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House without recommendation.

Also, H. F. No. 145, A bill for an act to compensate and reimburse B. F. Jenkins for material furnished and labor performed for and in behalf of the State of Iowa, in the building of a certain fort for the protection of the northern frontier, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, H. F. No. 350, A bill for an act to provide for the payment of court costs in the case of the State of Iowa *vs.* J. D. Eads, Ed. Johnson, *et al.*, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

TUFTS, *Chairman.*

On motion of Mr. O'Donnell, H. F. No. 288, A bill for an act to provide for the payment of the claim of D. E. Lyon, &c., with report of committee recommending its passage, was taken up and considered.

Mr. O'Donnell moved that the rule be suspended and the bill be considered engrossed and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Blakely, Bliss, Bonewitz,



Booth, Butler, Caldwell, Campbell, Cardell, Carver, Christoph, Clarke, of Iowa; Close, Danforth, Davis, Day, Dayton, Draper, Dumont, Duncan, Durham, Ericson, Evans, Flenniken, Freeman, Goodspeed, Green, Hall, Hanson, Heberling, Hopkirk, Irish, Johnston, Keables, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Miller, Newbold, O'Donnell, Pratt, Reed, Reuther, Rice, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stow, Struthers, Tasker, Tufts, Tuttle, Van Meter, Van Saun, Williams, Wood, of Olay; Wright, of Mills; Wright, of Van Buren and Mr. Speaker—Total, 72.

The nays were none.

Absent or excused—

Messrs. Beatty, of Cedar; Cadwell, Clark, of Benton; Crawford, Davisson, Duncombe, Ellsworth, Gear, Hanan, Hewett, Hilton, Hovey, Kasson, Leahy, Lee, Mills, Morrison, Paul, Peet, Perkins, Rohlf, Stewart, Teale, Van Deventer, Whitten, Wilson, of Keokuk; Wilson, of Washington; and Wood, of Story—Total, 28.

So the bill passed and the title was agreed to.

By leave Mr. Irish introduced H. F. No. 480, A bill for an act to amend section 187, chapter 14, of the Revision of 1860.

Read a first and second time.

Mr. Irish moved that the rule be suspended and the bill be considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Blakely, Bliss, Bonewitz, Booth, Butler, Caldwell, Campbell, Cardell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Day, Dayton, Draper, Duncan, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Goodspeed, Green, Hall, Hanson, Heberling, Hopkirk, Irish, Johnston, Keables, Litzenberg, Maxwell, McAllister, McCoy, McClure, Merrell, Miller, Newbold, O'Donnell, Pratt, Reed, Reuther, Rice, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stow, Struthers, Tasker, Tufts, Tuttle, Van Meter, Van Saun, Wood, of Olay; Wright, of Mills; Wright, of Van Buren, and Mr. Speaker—Total, 73.

The nays were none.

Absent or excused—

Messrs. Beatty, of Cedar; Cadwell, Davisson, Dumont, Duncombe, Gear, Hanan, Hewett, Hilton, Hovey, Kasson, Leahy, Lee, Mills, Morrison, Paul, Peet, Perkins, Rohlf, Stewart, Teale, Van Deventer, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; and Wood, of Story—Total, 27.

So the bill passed and the title was agreed to.



## BILLS ON SECOND READING.

S. F. No. 12, A bill for an act to legalize the acts of H. B. Hendershott, as notary public, with report of committee recommending its passage, was taken up and considered.

Mr. Caldwell moved that the rule be suspended and the bill be considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Jasper; Beresheim, Blake, Blakely, Bliss, Bonewitz, Booth, Butler, Caldwell, Campbell, Cardell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Day, Dayton, Draper, Duncan, Durham, Ellsworth, Evans, Flenniken, Freeman, Goodspeed, Green, Hall, Hanson, Heberling, Hopkirk, Irish, Johnston, Keables, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Miller, Newbold, O'Donnell, Perkins, Pratt, Reed, Reuther, Rice, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stow, Tufts, Tuttle, Van Meter, Van Saun, Wood, of Clay; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—  
Total, 69.

The nays were none.

Absent or excused—

Messrs. Beatty, of Cedar; Bergh, Blackman, Cadwell, Davisson, Dumont, Duncombe, Ericson, Gear, Hanan, Hewett, Hilton, Hovey, Kasson, Leahy, Lee, Mills, Morrison, Paul, Peet, Rohlf, Stewart, Struthers, Tasker, Teale, Van Deventer, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; and Wood, of Story—  
Total, 31.

So the bill passed and the title was agreed to.

Mr. Carver moved to reconsider the vote by which S. F. No. 82 was referred to Committee on Charitable Institutions.

The motion prevailed.

On motion of Mr. Carver, the bill was referred to Committee on Agriculture.

S. F. No. 74, A bill for an act to enlarge the powers of school directors, &c., was taken up and considered.

Mr. Irish moved that the bill be indefinitely postponed.

The motion prevailed.

Mr. Campbell moved to reconsider the vote by which the bill was indefinitely postponed.

Mr. Reed moved to lay the motion on the table, and demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Ainsworth, Ballinger, Blake, Blakely, Bonewitz, Booth,

Campbell, Christoph, Clarke, of Iowa; Crawford, Day, Dayton, Duncan, Durham, Ellsworth, Flenniken, Freeman, Goodspeed, Green, Hall, Hanson, Heberling, Hopkirk, Irish, Johnston, Keables, Litzenberg, McAllister, McClure, Merrell, Newbold, O'Donnell, Perkins, Pratt, Reed, Rice, Rule, Sandry, Schweer, Skillin, Stedman, Stow, Struthers, Tasker, Teale, Tufts, Tuttle, Williams, Wood, of Clay; and Wright, of Van Buren—Total, 50.

The nays were—

Messrs. Appleton, Beatty, of Jasper; Beresheim, Bliss, Butler, Caldwell, Carver, Clark, of Benton; Olose, Davis, Draper, Dumont, Ericson, Evans, Maxwell, McCoy, Miller, Reuther, Secor, Van Meter, Van Saun, Wright, of Mills; and Mr. Speaker—Total, 27.

Absent or excused—

Messrs. Beatty, of Cedar; Bergh, Blackman, Cadwell, Cardell, Danforth, Davisson, Duncombe, Gear, Hanan, Hewett, Hilton, Hovey, Kasson, Leahy, Lee, Mills, Morrison, Paul, Peet, Rohlf, Stewart, Van Deventer, Whitten, Wilson, of Keokuk; Wilson, of Washington; and Wood, of Story—Total, 23.

S. F. No. 161, A bill for an act to furnish transportation to discharged convicts, with report of committee recommending its passage, was taken up and considered.

Mr. Ainsworth moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Jasper; Beresheim, Blakely, Bliss, Bonewitz, Booth, Butler, Caldwell, Campbell, Cardell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Olose, Crawford, Danforth, Davis, Day, Dayton, Draper, Dumont, Duncan, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Goodspeed, Green, Hall, Hanson, Heberling, Hopkirk, Irish, Johnston, Keables, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Miller, Newbold, O'Donnell, Perkins, Pratt, Reed, Reuther, Rice, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stow, Struthers, Tasker, Teale, Tufts, Tuttle, Van Meter, Van Saun, Williams, Wood, of Clay; Wright, of Mills; Wright, of Van Buren and Mr. Speaker—Total, 74

The nays were none.

Absent or excused—

Messrs. Beatty, of Cedar; Bergh, Blackman, Blake, Cadwell, Davisson, Duncombe, Gear, Hanan, Hewett, Hilton, Hovey, Kasson, Leahy, Lee, Mills, Morrison, Paul, Peet, Rohlf, Stewart, Van Deventer, Whitten, Wilson, of Keokuk; Wilson, of Washington; and Wood, of Story—Total, 26.

So the bill passed and the title was agreed to.

S. F. No. 79, A bill for an act to amend chapter 89, laws of the Thirteenth General Assembly, &c with report of committee recommend its passage, was taken up and considered.

Mr. Durham moved to strike out "first Monday in May," and insert "second Monday in April."

Mr. O'Donnell moved to recommit to Committee on County and Township Organizations.

The motion prevailed.

S. F. No. 175, A bill for an act in relation to county records, with report of committee recommending its passage, was taken up and considered.

Mr. Ainsworth moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Jasper; Beresheim, Blakely, Bliss, Bonewitz, Booth, Butler, Caldwell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Day, Dayton, Draper, Dumont, Duncan, Ellsworth, Ericson, Evans, Flenniken, Freeman, Goodspeed, Green, Hall, Hanson, Heberling, Hopkirk, Irish, Keables, Litzenberg, Maxwell, McAllister, McClure, McCoy, Miller, Newbold, Perkins, Pratt, Reed, Reuther, Rice, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stow, Struthers, Tasker, Teale, Tufts, Tuttle, Van Meter, Williams, Wood, of Clay; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 67.

The nays were none.

Absent or excused—

Messrs. Beatty, of Cedar; Bergh, Blackman, Blake, Caldwell, Campbell, Cardell, Davisson, Duncombe, Durham, Gear, Hanan, Hewett, Hilton, Hovey, Johnston, Kasson, Leahy, Lee, Merrell, Mills, Morrison, O'Donnell, Paul, Peet, Rohlf, Stewart, Van Deventer, Van Saan, Whitten, Wilson, of Keokuk; Wilson, of Washington; and Wood, of Story—Total, 33.

So the bill passed, and the title was agreed to.

S. F. No. 196, A bill for an act to prohibit appropriations, gifts, &c., of public money or property for ecclesiastical purposes, with report of committee recommending its passage, was taken up and considered.

Mr. Gear moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Jasper;

Beresheim, Bergh, Blackman, Blake, Blakely, Bliss, Bonewitz, Booth, Butler, Campbell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Day, Dayton, Draper, Dumont, Ellsworth, Ericson, Freeman, Goodspeed, Green, Hall, Hanson, Heberling, Hopkirk, Irish, Johnston, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Miller, Newbold, O'Donnell, Perkins, Pratt, Reed, Reuther, Sandry, Schweer, Secor, Skillin, Stedman, Stow, Struthers, Tasker, Teale, Tuttle, Van Meter, Williams, Wood, of Clay; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 65.

The nays were—

Messrs. Ainsworth, Duncan, Durham, Evans, Flenniken, Rice, and Tufts—Total, 7.

Absent or excused—

Messrs. Beatty, of Cedar; Cadwell, Caldwell, Cardell, Davisson, Duncombe, Gear, Hanan, Hewett, Hilton, Hovey, Kasson, Keables, Leahy, Lee, Mills, Morrison, Paul, Peet, Rohlf, Rule, Stewart, Van Deventer, Van Sann, Whitten Wilson, of Keokuk; Wilson, of Washington; and Wood, of Story—Total, 28.

So the bill passed and the title was agreed to.

S. F. No. 226, A bill for an act to repeal sec. 827 of the Revision, &c., with report of committee recommending its passage, was taken up and considered.

Mr. Newbold moved that the rule be suspended, the bill be considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Appleton, Ballinger, Beatty, of Jasper; Beresheim, Bergh, Blackman, Blakely, Bliss, Booth, Butler, Clark, of Benton; Crawford, Danforth, Davis, Dayton, Draper, Dumont, Ellsworth, Ericson, Evans, Freeman, Goodspeed, Hall, Heberling, Irish, Johnston, Litzenberg, McClure, Miller, Newbold, O'Donnell, Pratt, Sandry, Schweer, Stedman, Teale, Tufts, Van Meter, Williams, Wood, of Clay; Wright, of Mills; Wright, of Van Buren, and Mr. Speaker---Total, 48.

The nays were—

Messrs. Ainsworth, Caldwell, Campbell, Clarke, of Iowa; Close, Day, Duncan, Durham, Flenniken, Green, Hanson, Hopkirk, Maxwell, McAllister, McCoy, Merrell, Perkins, Reed, Reuther, Rice, Rule, Skillin, Stow, Struthers, and Tasker---Total, 25.

Absent or excused---

Messrs. Beatty, of Cedar; Blake, Bonewitz, Cadwell, Cardell, Carver, Christoph, Davisson, Duncombe, Gear, Hanan, Hewett, Hilton, Hovey, Kasson, Keables, Leahy, Lee, Mills, Morrison, Paul, Peet, Rohlf, Secor, Stewart, Tuttle, Van Deventer, Van

Saun, Whitten, Wilson, of Keokuk; Wilson, of Washington; and Wood, of Story—Total, 32.

So the bill, not receiving a constitutional majority, failed to pass the House.

#### REPORTS OF COMMITTEES.

Mr. Bergh, from Committee on Engrossed Bills submitted the following report:

MR. SPEAKER:—The Committee on Engrossed Bills ask leave to report that they have examined the following bills, and find the same correctly engrossed:

H. F. No. 420, A bill for an act to legalize the incorporation of the town of Sharon, Iowa.

H. F. No. 425, A bill for an act to change the time of holding circuit court in the county of Monroe, Iowa.

H. F. No. 333, A bill for an act establishing the weights of certain fruits.

H. F. No. 39, A bill for an act to provide for the preservation of fish in the waters of the State.

H. F. No. 90, A bill for an act to amend chapter 29 of the acts of the 9th General Assembly.

H. F. No. 330, A bill for an act to amend article 7, of chapter 22, of the Revision of 1860.

KNUT E. BERGH, *Chairman pro tem.*

S. F. No. 84, A bill for an act to amend an act entitled "An act to protect game," with report of committee recommending its passage, was taken up and considered.

Mr. Close moved that the bill be made a special order for Tuesday, the 16th, at 10 o'clock A. M.

The motion prevailed.

Mr. Merrell moved that when this House adjourn it adjourn till next Monday at 9 o'clock A. M.

The hour of 12 M. having arrived, the Speaker declared the House adjourned until 2 o'clock, P. M.

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TWO O'CLOCK, P. M.

House called to order by the Speaker.

Leave of absence was granted to Messrs. Keables, Maxwell, Cardell, Secor, Bliss, McClure, Caldwell, and Ballinger.

Mr. Beresheim moved a call of the House, which was ordered.

The Clerk proceeded to call the roll.

Mr. Hall moved that further proceedings under the call be suspended.

The motion prevailed.

Mr. Hall moved that the House adjourn.

On which motion Mr. Pratt demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Bergh, Blackman, Blakely, Bonewitz, Caldwell, Hall, O'Donnell, Perkins, Pratt, Rice, and Wright, of Mills—Total, 11.

The nays were—

Messrs. Ainsworth, Appleton, Beatty, of Jasper; Beresheim, Blake, Campbell, Carver, Christoph, Clarke, of Iowa; Olose, Crawford, Davis, Day, Dayton, Draper, Duncan, Durham, Ericson, Evans, Flenuiken, Freeman, Goodspeed, Hanson, Heberling, Hopkirk, Litzenberg, McAllister, McCoy, Merrell, Newbold, Sandry, Schweer, Stedman, Stow, Struthers, Tasker, Tufts, Van Meter, Williams, Wood, of Clay; and Wright, of Van Buren—Total, 41.

Absent or excused—

Messrs. Ballinger, Beatty, of Cedar; Bliss, Booth, Butler, Cadwell, Cardell, Clark, of Benton; Danforth, Davisson, Dumont, Duncombe, Ellsworth, Gear, Green, Hanan, Hewett, Hilton, Hovey, Irish, Johnston, Kasson, Keables, Leahy, Lee, Maxwell, McClure, Miller, Mills, Morrison, Paul, Peet, Reed, Reuther, Rohlf, Rule, Secor, Skillin, Stewart, Teale, Tuttle, Van Deventer, Van Saun, Whitten, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story; and Mr. Speaker—Total, 46.

So the motion to adjourn did not prevail.

S. F. No. 202, A bill for an act for the better prevention of criminal abortion, was taken up and considered.

Mr. Ainsworth moved that the bill be indefinitely postponed.

The motion prevailed.

S. F. No. 47, A bill for an act requiring the conditional sales of personal property, &c., with report of committee recommending a substitute, was taken up and considered.

Mr. Clark, of Benton, moved to strike out the publication clause.

The motion prevailed.

Mr. Hall moved to amend as follows:

Insert after the word "possession" "obtained in pursuance thereof."

The amendment was adopted.

The substitute was adopted.

Mr. Hall moved that the rule be suspended, that the bill be considered engrossed, and read a third time now.

The motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Blakely, Bonewitz, Booth, Campbell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Crawford, Danforth, Davis, Day, Dayton, Draper, Dumont, Duncan, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Goodspeed, Green, Hall, Hanson, Heberling, Hopkirk, Irish, Johnston, Litzenberg, McCoy, Merrell, Miller, Newbold, O'Donnell, Perkins, Pratt, Reed, Rice, Rule, Sandry, Schweer, Skillin, Stedman, Stow, Struthers, Tasker, Teale, Tufts, Tuttle, Van Meter, Williams, Wood, of Clay; and Wright, of Van Buren—Total, 62.

The nays were—

Messrs. Close, McAllister, and Wright, of Mills—Total, 3.

Absent or excused—

Messrs. Ballinger, Beatty, of Cedar; Bliss, Butler, Cadwell, Caldwell, Cardell, Davisson, Duncombe, Gear, Hanan, Hewett, Hilton, Hovey, Kasson, Keables, Leahy, Lee, Maxwell, McClure, Mills, Morrison, Paul, Peet, Reuther, Rohlf, Secor, Stewart, Van Deventer, Van Saun, Whitten, Wilson, of Washington; Wilson, of Keokuk; Wood, of Story; and Mr. Speaker—Total, 35.

So the bill passed and the title was agreed to.

S. F. No. 111, A bill for an act to amend section 2800 of the Revision of 1860, &c., with report of committee recommending its passage, was taken up and considered.

Mr. Ainsworth moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Jasper; Beresheim, Bergh, Blake, Blakely, Bonewitz, Booth, Carver, Christoph, Clark of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Day, Dayton, Dumont, Duncan, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Goodspeed, Green, Hall, Hanson, Hopkirk, Irish, Johnston, Litzenberg, McAllister, McCoy, Merrell, Miller, Newbold, Perkins, Reed, Rice, Rule, Sandry, Schweer, Skillin, Stedman, Stow, Struthers, Tasker, Teale, Tufts, Tuttle, Van Meter, Williams, Wood, of Clay; Wright, of Mills; and Mr. Speaker—Total, 60.

The nays were Mr. O'Donnell.

Absent or excused—

Messrs. Ballinger, Beatty, of Cedar; Bliss, Butler, Cadwell, Caldwell, Campbell, Cardell, Davisson, Draper, Duncombe, Gear, Hanan, Heberling, Hewett, Hilton, Hovey, Kasson, Keables, Leahy, Lee, Maxwell, McClure, Mills, Morrison, Paul, Peet, Pratt, Reuther, Rohlf, Secor, Stewart, Van Deventer, Van Saun,



Whitten, Wilson, of Keokuk ; Wilson, of Washington ; Wood, of Story ; and Wright, of Van Buren—Total, 39.

So the bill passed and the title was agreed to.

S. F. No. 97, A bill for an act making corporations and persons owning and operating railroads liable for the willful wrongs of their agents and employees, with report of committee recommending its indefinite postponement, was taken up and considered.

The report of the committee was not adopted.

Mr. Ainsworth moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, " Shall the bill pass ? " the yeas and nays were as follows :

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Jasper ; Beresheim, Bergh, Blake, Blakely, Bonewitz, Campbell, Carver, Christoph, Clark, of Benton ; Clarke, of Iowa ; Olose, Crawford, Danforth, Davis, Day, Dayton, Dumont, Duncan, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Goodspeed, Hall, Hanson, Heberling, Hopkirk, Irish, Johnston, Litzenberg, McAllister, McCoy, Merrell, Miller, Newbold, O'Donnell, Perkins, Reed, Rice, Rule, Sandry, Schweer, Skillin, Stedman, Stow, Struthers, Tasker, Teale, Tutts, Tuttle, Van Meter, Wood, of Clay ; Wright, of Mills ; Wright, of Van Buren ; and Mr. Speaker—Total, 60.

The nays were—Mr. Williams—Total, 1.

Absent or excused—

Messrs. Ballinger, Beatty, of Cedar ; Blackman, Bliss, Booth, Butler, Cadwell, Caldwell, Cardell, Davidson, Draper, Durcombe, Gear, Green, Hanan, Hewett, Hilton, Hovey, Kasson, Keables, Leahy, Lee, Maxwell, McClure, Mills, Morrison, Paul, Peet, Pratt, Reuther, Rohlf, Secor, Stewart, Van Deventer, Van Sann, Wilson, of Keokuk ; Wilson, of Washington ; and Wood, of Story—Total, 39.

So the bill passed, and the title was agreed to.

S. F. No. 90, A bill for an act requiring that there shall be attached to locomotive engines a bell or steam whistle, &c., with report of committee recommending its indefinite postponement, was taken up and considered, and in accordance with the recommendation of the committee was indefinitely postponed.

S. F. No. 117, A bill for an act to promote the science of medicine and surgery in the State of Iowa, with report of committee recommending its passage, was taken up and considered.

Mr. Stow moved that the bill be indefinitely postponed.

Mr. Irish moved that the bill be postponed until next Wednesday morning at 10 A. M.

The motion prevailed.

Mr. Pratt introduced H. F. No. 431, A bill for an act to provide for taking testimony on application for pardons.

Read a first and second time.

Mr. Hall moved to amend by inserting after the words "who shall," the words "wrongfully or corruptly."

The amendment was adopted.

Mr. Pratt moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Jasper; Beresheim, Bergh, Blackman, Blake, Booth, Campbell, Carver, Christoph, Crawford, Danforth, Davis, Day, Dayton, Draper, Dumont, Durham, Ellsworth, Evans, Flenniken, Freeman, Goodspeed, Hall, Hanson, Heberling, Hopkirk, Irish, McAllister, McCoy, Merrell, Newbold, O'Donnell, Perkins, Pratt, Reed, Rice, Rule, Sandry, Schweer, Skillin, Stedman, Stow, Struthers, Tasker, Teale, Tufts, Tuttle, Wood, of Clay; Wright, of Mills; Wright, of Van Buren, and Mr. Speaker—Total, 54.

The nays were—

Messrs. Clark, of Benton; Johnston, and Litzenberg—Total, 8.

Absent or excused—

Messrs. Ballinger, Beatty, of Cedar; Blakely, Bliss, Bonewitz, Butler, Cadwell, Caldwell, Cardell, Clarke, of Iowa; Close, Davisson, Duncombe, Ericson, Gear, Green, Hanan, Hewett, Hilton, Hovey, Kasson, Keables, Leahy, Lee, Maxwell, McClure, Miller, Mills, Morrison, Paul, Peet, Renthner, Rohlf, Secor, Stewart, Van Deventer, Van Meter, Van Sann, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; and Wood, of Story—Total, 43.

So the bill passed and the title was agreed to.

Mr. Struthers introduced H. F. No. 422, A bill for an act authorizing a special election in Kossuth county, to determine whether additional bonds shall be issued for the purpose of building a court house therein.

Read a first and second time, and passed on file.

On motion of Mr. Merrell the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, April 15, 1872. }

House convened pursuant to adjournment.

The Speaker in the chair.

Prayer by Rev. Mr. Swope.

On motion of Mr. Newbold the reading of the Journal of Saturday was dispensed with.

UNFINISHED BUSINESS.

The joint resolution authorizing the census board to exchange certain lots in Des Moines, was taken up and postponed.

The joint resolution in relation to a change in the constitution by striking out the word "white," &c., was taken up and passed on the files.

The joint resolution in regard to a change in the constitution in reference to sectarian colleges, was taken up, and passed on the files until to-morrow afternoon.

PETITIONS.

Mr. Appleton presented a petition from citizens of Sioux county asking for a law to protect the people of Iowa from imposition in the practice of medicine, &c.

Referred to Committee on Medical Institutions.

Leave of absence was granted to Messrs. Van Deventer and Ballinger.

Mr. Miller presented a petition from citizens of Appanoose county asking for a law to protect the public from imposition in the practice of medicine, &c.

Referred to Committee on Medical Institutions.

REPORTS OF COMMITTEES.

Mr. Bonewitz from Committee on County and Township Organizations, submitted the following report:

MR. SPEAKER:—Your Committee on County and Township Organizations, to whom was referred S. F. No. 79, A bill for an act to amend chapter 89 of the laws of the Thirteenth General Assembly in relation to equalization of assessments by township trustees and city and town councils, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

BONEWITZ, *Chairman.*

Mr. Freeman, from the Committee on Military Affairs, submitted the following report:

MR. SPEAKER:—Your Committee on Military Affairs, to whom was referred the petition of Oaleb Bunn, late of Co. L, of the 1st Iowa Cavalry, asking that the State reimburse him for loss of a certain horse lost while in the service of the United States, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that in their opinion the relief sought should come from the General Government.

J. H. FREEMAN, *Chairman.*

#### INTRODUCTION OF BILLS.

Mr. McCoy introduced H. F. No. 483, A bill for an act to prevent fraudulent voting, &c.

Read a first and second time, and referred to Committee on Elections.

#### RESOLUTIONS.

Mr. Reed offered the following resolution, which was adopted:

*Resolved*, That the Committee on Ways and Means be instructed to inquire into the expediency of reducing the amounts allowed members of the General Assembly for postage and stationery, and report by bill or otherwise.

#### BILLS ON SECOND READING.

Substitute for H. F. No. 59, A bill for an act establishing temporary county seats &c., was considered.

Mr. Appleton moved to refer to Committee on New Counties.

The motion prevailed.

H. F. No. 77, A bill for an act providing the place of bringing suits in certain cases, with report of committee recommending a substitute, was taken up and considered.

The substitute was adopted.

Mr. Hall moved that the rule be suspended, that the bill be considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Bereshiem, Bergh, Blackman, Blakely, Bonewitz, Campbell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Day, Dayton,

Dumont, Duncan, Darham, Ellsworth, Evans, Flenniken, Freeman, Goodspeed, Green, Hall, Hanson, Hopkirk, Heberling, Johnston, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Miller, Mills, Newbold, O'Donnell Perkins, Pratt, Reed, Rice, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stow, Struthers, Tasker, Teale, Tufts, Van Meter, Wood, of Clay; Wright, of Mills; Wright, of Van Buren, and Mr. Speaker—Total, 62.

The nays were none.

Absent or excused—

Messrs. Ballinger, Beatty, of Cedar; Beatty, of Jasper; Bliss, Blake, Booth, Butler, Cadwell, Caldwell, Cardell, Davison, Draper, Duncombe, Ericson, Gear, Hanan, Hewett, Hilton, Hovey, Irish, Kasson, Keables, Leahy, Lee, Morrison, Paul, Peet, Reuther, Rohlf, Stewart, Tuttle, Van Deventer, Van Saun, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; and Wood, of Story.—Total, 38.

So the bill passed and title was agreed to.

H. F. No. 100, A bill for an act to legalize the sale of school lands in Lucas county, with report of committee recommending a substitute, was taken up and considered.

The substitute was adopted.

Mr. McCoy moved that the rule be suspended, the bill be considered engrossed, and read a third time now.

The motion prevailed.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beresheim, Blackman, Blakely, Bonewitz, Booth, Campbell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Day, Dayton, Dumont, Duncan, Durham, Evans, Flenniken, Freeman, Goodspeed, Green, Hall, Hanson, Heberling, Hopkirk, Irish, Johnston, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Miller, Mills, Newbold, O'Donnell, Pratt, Reed, Rice, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stow, Struthers, Tasker, Teale, Tufts, Van Meter, Wood, of Clay; Wright, of Mills; Wright, of Van Buren, and Mr. Speaker—Total, 61.

The nays were none.

Absent or excused—

Messrs. Ballinger, Beatty, of Cedar; Beatty, of Jasper; Bergh, Blake, Bliss, Butler, Cadwell, Caldwell, Cardell, Davison, Draper, Duncombe, Ellsworth, Ericson, Gear, Hanan, Hewett, Hilton, Hovey, Kasson, Keables, Leahy, Lee, Morrison, Paul, Peet, Perkins, Reuther, Rohlf, Stewart, Tuttle, Van Deventer, Van Saun, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; and Wood, of Story—Total, 39.

So the bill passed and the title was agreed to.

Substitute for H. F. No. 155, A bill for an act to regulate con-

ditional sales of personal property, with report of committee recommending its passage, was taken up and considered.

Mr. Hall moved that the bill be passed on file.

The motion prevailed.

H. F. No. 251, A bill for an act to amend section 3040 of the Revision of 1860 with report of committee recommending certain amendments was taken up and considered.

The amendments recommended by the committee were adopted.

Mr. Ainsworth moved that the rule be suspended and the bill be considered engrossed and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beresheim, Bergh, Blackman, Blakely, Bonewitz, Booth, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Day, Dayton, Dumont, Duncan, Durham, Ellsworth, Evans, Flenniken, Freeman, Goodspeed, Green, Hall, Hanson, Heberling, Hopkirk, Irish, Johnston, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Miller, Mills, Newbold, O'Donnell, Perkins, Pratt, Reed, Rice, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Struthers, Tasker, Teale, Tufts, Van Meter, Wood, of Clay; Wright, of Mills; Wright, of Van Buren and Mr. Speaker—Total, 63.

The nays were none.

Absent or excused—

Messrs. Ballinger, Beatty, of Cedar; Beatty, of Jasper; Blake, Bliss, Butler, Cadwell, Caldwell, Cardell, Campbell, Davisson, Draper, Ericson, Gear, Hanan, Hewett, Hovey, Kasson, Keables, Leahy, Lee, Morrison, Paul, Peet, Reuther, Rohlf, Stewart, Stow, Tuttle, Van Deventer, Van Saun, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; and Wood, of Story—Total, 37.

So the bill passed and the title was agreed to.

H. F. No. 194, A bill for an act to amend section 40, chapter 138, of the 12th General Assembly, &c., with report of committee recommending its passage, was taken up and considered.

The bill was ordered engrossed and read a third time.

Mr. Clark, of Benton, moved that the rule be suspended and the bill be considered engrossed and read a third time now.

The motion prevailed.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beresheim, Bergh, Blackman, Blakely, Bonewitz, Booth, Campbell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Day,

Dayton, Dumont, Duncan, Durham, Ellsworth, Evans, Flenniken, Freeman, Green, Hall, Hanson, Heberling, Hopkirk, Irish, Johnston, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Miller, Mills, Newbold, O'Donnell, Perkins, Pratt, Rice, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stow, Struthers, Tasker, Tufts, Wood, of Clay; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 61.

The nays were none.

Absent or excused—

Messrs. Ballinger, Beatty, of Cedar; Beatty, of Jasper; Blake, Bliss, Butler, Cadwell, Caldwell, Cardell, Davisson, Draper, Duncombe, Ericson, Gear, Goodspeed, Hanan, Hewett, Hilton, Hovey, Kasson, Keables, Leahy, Lee, Morrison, Paul, Peet, Reed, Reuther, Rohlf, Stewart, Teale, Tuttle, Van Deventer, Van Meter, Van Saun, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington and Wood, of Story—Total, 89.

So the bill passed and the title was agreed to.

H. F. No. 205, A bill for an act to amend section 799 of the Revision of 1860, &c., with report of committee recommending a substitute, was taken up and considered.

The substitute was adopted.

Mr. Newbold moved that the rule be suspended and the bill be considered engrossed and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beresheim, Bergh, Blackman, Blakely, Bonewitz, Booth, Campbell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Day, Dayton, Dumont, Duncan, Durham, Ellsworth, Evans, Flenniken, Goodspeed, Hall, Hanson, Heberling, Hopkirk, Irish, Johnston, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Miller, Mills, Newbold, O'Donnell, Perkins, Pratt, Reed, Rice, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stow, Struthers, Tasker, Tufts, Van Meter, Wood, of Clay; Wright, of Mills; Wright, of Van Buren and Mr. Speaker—Total, 62.

The nays were none.

Absent or excused—

Messrs. Ballinger, Beatty, of Cedar; Beatty, of Jasper; Blake, Bliss, Butler, Cadwell, Caldwell, Cardell, Davisson, Draper, Duncombe, Ericson, Freeman, Gear, Green, Hanan, Hewett, Hilton, Hovey, Kasson, Keables, Leahy, Lee, Morrison, Paul, Peet, Reuther, Rohlf, Stewart, Teale, Tuttle, Van Deventer, Van Saun, Whitten, Williams, Wilson, of Washington; Wilson, of Keokuk and Wood, of Story—Total, 89.

So the bill passed and the title was agreed to.



H. F. No. 219, A bill for an act to pay John Garaghty for legal services performed for the State, with report of committee recommending that it pass with amendments, was taken up and considered.

Mr. Tufts moved that the bill be postponed until to-morrow.

The motion prevailed.

H. F. No. 224, A bill for an act providing for the organization of the county of Belknap, with report of committee recommending its passage with amendments, was taken up and considered.

The first amendment recommended by the committee was not adopted.

The second amendment was adopted.

The third amendment was adopted.

The fourth amendment was adopted.

The fifth amendment was adopted.

The House ordered the bill engrossed and read a third time.

Mr. Beresheim moved that the rule be suspended and the bill be considered engrossed and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Beresheim, Blakely, Clark, of Benton; Clarke, of Iowa; Crawford, Davis, Dayton, Dumont, Durham, Evans, Flenniken, Green, Hopkirk, Irish, Litzenberg, McClure, Merrell, Miller, Mills, O'Donnell, Reed, Rice, Sandry, Schweer, Skillin, Stedman, Tasker, Tufts, Van Meter, Wright, of Mills; Wright, of Van Buren and Mr. Speaker—Total, 33.

The nays were—

Messrs. Appleton, Bergh, Bonewitz, Booth, Butler, Campbell, Christoph, Close, Danforth, Day, Duncan, Ellsworth, Goodspeed, Hanson, Johnston, Maxwell, McAllister, McCoy, Newbold, Perkins, Rule, Secor, Stow, Struthers, and Wood, of Clay—Total, 25.

Absent or excused—

Messrs. Ballinger, Beatty, of Cedar; Beatty, of Jasper; Blackman, Blake, Bliss, Cadwell, Caldwell, Cardell, Carver, Davisson, Draper, Duncombe, Ericson, Freeman, Gear, Hall, Hanan, Heberling, Hewatt, Hilton, Hovey, Kasson, Keables, Leahy, Lee, Morrison, McClure, Paul, Peet, Pratt, Reuther, Rohlf, Stewart, Teale, Tuttle, Van Deventer, Van Saun, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; and Wood, of Story—Total, 42.

So the bill not receiving a constitutional majority of votes was declared lost.

Mr. Bergh, from Committee on Enrolled Bills, submitted the following report:

**MR. SPEAKER:**—Your Committee on Enrolled Bills ask leave to report that they have examined the following bills, and find the same correctly enrolled:

H. F. No. 403, A bill for an act to legalize the ministerial acts of John L. Robinson of Holman township, Osceola county, Iowa.

Also, H. F. No. 389, A bill for an act making appropriations for the Deaf and Dumb Asylum.

Also, substitute for H. F. No. 21, A bill for an act making appropriations to Soldiers' Orphans' Homes.

**KNUT E. BERGH**, *Chairman pro tem.*

H. F. No. 239, A bill for an act to amend section 748, and section 759, of the Revision of 1860, in relation to revenue, with report of committee recommending its passage, was taken up and considered.

Mr. Goodspeed moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Appleton, Beresheim, Bergh, Blakely, Bonewitz, Booth, Butler, Campbell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Day, Dumont, Duncan, Durham, Ellsworth, Evans, Freeman, Goodspeed, Green, Hall, Hanson, Heberling, Hopkirk, Irish, Johnston, Litzenberg, Maxwell, McAllister, McClure, McCoy, Mills, Newbold, O'Donnell, Reed, Rice, Sandry, Schweer, Secor, Stedman, Struthers, Tasker, Tufts, Van Meter, Wood, of Clay; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 51.

The nays were—

Messrs. Ainsworth, Christoph, Davis, Dayton, Flenniken, Rule, Skillin, and Stow—Total, 8.

Absent or excused—

Messrs. Ballinger, Beatty, of Cedar; Beatty of Jasper; Blackman, Blake, Bliss, Cadwell, Caldwell, Cardell, Davisson, Draper, Duncombe, Ericson, Gear, Hanan, Hewett, Hilton, Hovey, Kasson, Keables, Leahy, Lee, Merrell, Miller, Morrison, Paul, Peet, Perkins, Pratt, Renthner, Rohlf, Stewart, Teale, Tuttle, Van Deventer, Van Saun, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; and Wood, of Story—Total, 41.

So the bill passed and the title was agreed to.

H. F. No. 246, A bill for an act in relation to extraordinary expenditures and increased taxation by municipal corporations, with report of committee recommending its passage, was taken up and considered.

The bill was ordered engrossed, and to be read a third time.

Mr. Ainsworth moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Jasper; Beresheim, Bergh, Blakely, Bonewitz, Booth, Carver, Christoph, Clarke, of Iowa; Close, Danforth, Davis, Day, Dayton, Dumont, Duncan, Durham, Ellsworth, Evans, Flenniken, Freeman, Goodspeed, Hanson, Heberling, Hopkirk, Irish, Johnston, Litzenberg, McCoy, Merrell, Miller, Mills, Newbold, O'Donnell, Perkins, Reed, Rice, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Struthers, Tasker, Van Meter, and Wood, of Clay—Total, 49.

The nays were—

Messrs. Butler, Campbell, Clark, of Benton; Crawford, Green, Hall, Maxwell, McAllister, McClure, Stow, Tufts, Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 14.

Absent or excused—

Messrs. Ballinger, Beatty of Cedar; Blackman, Blake, Bliss, Cadwell, Cardell, Caldwell, Davisson, Draper, Duncombe, Ericson, Gear, Hanan, Hewett, Hilton, Hovey, Kasson, Keables, Leahy, Lee, Morrison, Paul, Peet, Pratt, Renthner, Rohlf, Stewart, Teale, Tuttle, Van Deventer, Van Saun, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; and Wood, of Story—Total, 87.

So the bill having failed to receive a constitutional number of votes was declared lost.

H. F. No. 261, A bill for an act to amend article 2, chapter 72, of the Revision of 1860, with report of committee recommending amendments, was taken up and considered.

Mr. Hall moved that the bill be postponed for one day.

The motion prevailed.

H. F. No. 268, A bill for an act to provide for the compilation of the revenue laws, and for other purposes, with report of Committee recommending a substitute, was taken up and considered.

Mr. Ainsworth moved to amend by inserting "immediately after the adjournment of the Fourteenth General Assembly."

The amendment was adopted.

The substitute, as amended, was adopted.

Mr. Ainsworth moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Jasper; Beresheim, Bergh, Blakely, Bonewitz, Booth, Campbell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth,

Davis, Day, Dayton, Duncan, Durham, Ellsworth, Evans, Flenniken, Goodspeed, Green, Hall, Hanson, Heberling, Hopkirk, Irish, Johnston, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Miller, Newbold, O'Donnell, Perkins, Pratt, Reed, Rice, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stow, Struthers, Tasker, Teale, Tufts, Van Meter, Wood, of Clay; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 61.

The nays were none.

Absent or excused—

Messrs. Ballinger, Beatty, of Cedar; Blackman, Blake, Bliss, Butler, Cadwell, Caldwell, Cardell, Davisson, Draper, Dumont, Duncombe, Ericson, Freeman, Gear, Hanan, Hewett, Hilton, Hovey, Kasson, Keables, Leahy, Lee, Mills, Morrison, Paul, Peet, Reuther, Rohlf, Stewart, Tuttle, Van Deventer, Van Saun, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; and Wood, of Story—Total, 89.

So the bill passed and the title was agreed to.

S. F. No. 145, A bill for an act to legalize the organization of the independent school district of Homer, Iowa, with report of committee recommending its passage, was taken up and considered.

Mr. Newbold moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Appleton, Beatty, of Jasper; Beresheim, Bergh, Blakely, Bonewitz, Booth, Carver, Christoph, Clark, of Benton; Close, Crawford, Davis, Duncan, Durham, Ellsworth, Flenniken, Goodspeed, Hall, Hanson, Heberling, Hopkirk, Irish, Johnston, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Miller, Mills, Newbold, O'Donnell, Perkins, Pratt, Reed, Rice, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stow, Struthers, Tasker, Teale, Tufts, Van Meter, Williams, Wood, of Clay; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 55.

The nays were—

Messrs. Ainsworth, Campbell, Davis, Day, Evans, and Green—Total, 6.

Absent or excused—

Messrs. Ballinger, Beatty, of Cedar; Blackman, Blake, Bliss, Butler, Cadwell, Caldwell, Cardell, Clarke, of Iowa; Danforth, Davisson, Dayton, Draper, Dumont, Duncombe, Ericson, Freeman, Gear, Hanan, Hewett, Hilton, Hovey, Kasson, Keables, Leahy, Lee, Morrison, Paul, Peet, Reuther, Rohlf, Stewart, Tuttle, Van Deventer, Van Saun, Whitten, Wilson, of Keokuk; Wilson, of Washington; and Wood, of Story—Total, 89.

So the bill passed and the title was agreed to.

H. F. No. 312, A bill for an act to allow all appeals to the supreme court from the counties of Franklin, Hardin, &c., with report of committee recommending its passage, was taken up and considered.

Mr. Williams moved that the rule be suspended, and the bill be considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beatty of Jasper; Beresheim, Bergh, Blakely, Bonewitz, Booth, Butler, Campbell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Day, Duncan, Durham, Ellsworth, Evans, Flenniken, Goodspeed, Green, Hall, Hanson, Heberling, Hopkirk, Irish, Johnston, Litzenberg, McAllister, McClure, McCoy, Merrell, Miller, Newbold, O'Donnell, Perkins, Pratt, Reed, Rice, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stow, Struthers, Tasker, Teale, Tufts, Van Meter, Williams, Wood, of Clay; Wright, of Mills, Wright, of Van Buren, and Mr. Speaker—Total, 60.

The nays were Mr. Christoph.

Absent or excused—

Messrs. Ballinger, Beatty of Cedar; Blackman, Blake, Bliss, Cadwell, Caldwell, Cardell, Davisson, Dayton, Draper, Dumont, Duncombe, Ericson, Freeman, Gear, Hanan, Hewett, Hilton, Hovey, Kasson, Keables, Leahy, Lee, Maxwell, Mills, Morrison, Paul, Peet, Renther, Rohlf, Stewart, Tuttle, Van Deventer, Van Saun, Whitten, Wilson, of Keokuk; Wilson, of Washington; and Wood, of Story—Total, 39.

So the bill passed and the title was agreed.

H. F. No. 152, A bill for an act to amend section 3782 of the Revision of 1860, &c., with report of committee recommending its passage, was taken up and considered.

The bill was ordered engrossed and read a third time.

Mr. Williams moved that the rule be suspended and the bill be considered engrossed and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Jasper; Beresheim, Bergh, Blakely, Bonewitz, Booth, Butler, Campbell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Day, Dayton, Duncan, Durham, Ellsworth, Evans, Flenniken, Goodspeed, Green, Hall, Hanson, Heberling, Hopkirk,

Irish, Johnston, Litzenberg, McAllister, McClure, McCoy, Merrell, Miller, Newbold, O'Donnell, Perkins, Pratt, Reed, Rice, Rule, Sandry, Schwaer, Secor, Skillin, Stedman, Stow, Struthers, Tasker, Teale, Tufts, Van Meter Williams, Wood, of Clay; Wright, of Mills; Wright, of Van Buren, and Mr. Speaker—Total, 62.

The nays were none.

Absent or excused—

Messrs. Ballinger, Beatty, of Cedar; Blackman, Blake, Bliss, Cadwell, Caldwell, Cardell, Davisson, Draper, Dumont, Duncombe, Ericson, Freeman, Gear, Hanan, Hewett, Hilton, Hovey, Kasson, Keables, Leahy, Lee, Maxwell, Mills, Morrison, Paul, Peet, Reuther, Rohls, Stewart, Tuttle, Van Deventer, Van Sann, Whitten, Wilson, of Keokuk; Wilson, of Washington; and Wood, of Story—Total, 88.

So the bill passed and the title was agreed to.

S. F. No. 227, A bill for an act for the relief of James Jordan and Matilda Carter, with report of committee recommending its passage, was taken up and considered.

Mr. Tufts moved to postpone the bill for one day.

The motion prevailed.

H. F. No. 412, A bill for an act fixing the compensation for publication of the delinquent tax lists, with report of committee recommending its passage with amendments, was taken up and considered and committee amendments adopted.

Mr. Close moved to strike out "10 cents" and insert 20 cents.

Mr. Ainsworth moved that further consideration be postponed till to-morrow afternoon.

The motion prevailed.

H. F. No. 406, A bill for an act to amend section 2 of chapter 115 of the laws of the 11th General Assembly, &c., with report of committee recommending amendment was taken up and considered.

On motion of Mr. Close it was postponed until to-morrow afternoon.

H. F. No. 372, A bill for an act to amend chapter 89 of the laws of the 13th General Assembly, with report of committee recommending its passage with amendments, was taken up and considered and amendments adopted.

Mr. Davis moved to strike out the publication clause.

The motion prevailed.

The bill was ordered engrossed and to be read a third time.

H. F. No. 393, A bill for an act to legalize the acts of the board of directors of the independent school district of New Cherokee, Cherokee county, Iowa, with report of committee recommending its passage was taken up and considered and passed on file.

H. F. No. 384, A bill for an act providing for the collection and payment of State revenue, &c., with report of committee recommending its passage was taken up and considered.

Mr. Dayton moved to strike out section 5.



The motion prevailed.

Mr. Ainsworth moved that the enactment clause be stricken out.

The motion prevailed.

H. F. No. 358, A bill for an act to amend section 3293 of the Revision of 1860, with report of committee recommending its passage, was taken up and considered.

Mr. Hall moved to amend by striking out after the word "judgment," in the 6th line, the words "for thirty days."

The amendment was not adopted.

Mr. Williams moved that the bill be postponed for one day.

The motion prevailed.

H. F. No. 365, A bill for an act to amend section 3555 of the Revision of 1860, with report of committee recommending its passage was taken up and considered.

Mr. Heberling moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Jasper; Beresheim, Bergh, Blackman, Blakely, Booth, Butler, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Day, Dayton, Dumont, Ellsworth, Evans, Flenniken, Goodspeed, Green, Hall, Hanson, Heberling, Hopkirk, Irish, Johnston, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Miller, Mills, Newbold, O'Donnell, Perkins, Pratt, Reed, Rice, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stow, Struthers, Tasker, Teale, Tufts, Van Meter, Williams, Wood, of Olay; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 60.

The nays were none.

Absent or excused—

Messrs. Ballinger, Beatty, of Cedar; Blake, Bliss, Bonewitz, Cadwell, Caidwell, Campbell, Cardell, Carver, Christoph, Davisson, Draper, Duncan, Duncombe, Durham, Ericson, Freeman, Gear, Hanan, Hewett, Hilton, Hovey, Kasson, Keables, Leahy, Lee, Morrison, Paul, Peet, Renthner, Rohlf, Stewart, Tuttle, Van Deventer, Van Saun, Whitten, Wilson, of Keokuk; Wilson, of Washington; and Wood, of Story—Total, 40.

So the bill passed, and the title was agreed to.

H. F. No. 409, A bill for an act to legalize the acts of the Logan Town Company, with report of committee recommending its passage, was taken up and considered.

Mr. Perkins moved to postpone the bill for one day.

The motion prevailed.

H. F. No. 357, A bill for an act providing for the return of the poll books to the county auditor, with report of committee recommending its passage, was taken up and considered.



Mr. Durham moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Jasper; Beresheim, Bergh, Blackman, Blakely, Bonewitz, Booth, Butler, Campbell, Carver, Clark, of Benton; Close, Crawford, Danforth, Davis, Dayton, Dumont, Duncan, Durham, Ellsworth, Evans, Flenniken, Goodspeed, Green, Hall, Hanson, Heberling, Hopkirk, Irish, Johnston, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Miller, Mills, Newbold, O'Donnell, Perkins, Pratt, Reed, Rice, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stow, Struthers, Tasker, Teale, Tufts, Van Meter, Williams, Wood, of Clay; Wright, of Mills; Wright, of Van Buren and Mr. Speaker—Total, 63.

The nays were none.

Absent or excused—

Messrs. Ballinger, Beatty, of Cedar; Blake, Bliss, Caldwell, Cadwell, Cardell, Christoph, Clarke, of Iowa; Davisson, Day, Draper, Duncombe, Ericson, Freeman, Gear, Hanan, Hewett, Hilton, Hovey, Kasson, Keables, Leahy, Lee, Morrison, Paul, Peet, Reuther, Rohlf, Stewart, Tuttle, Van Deventer, Van Saun, Whitten, Wilson, of Keokuk; Wilson, of Washington; and Wood, of Story—Total, 37.

So the bill passed and the title was agreed to.

H. F. No. 366, A bill for an act to authorize clerks of district and circuit courts to enter satisfaction of mortgages in certain cases, with report of committee recommending its passage, was taken up and considered.

Mr. Clarke, of Iowa, moved to strike out the publication clause. The motion prevailed.

Mr. Davis moved to amend by inserting after the word "clerk," in the first section, the words "and decree paid and satisfied."

The amendment was adopted.

Mr. Heberling moved to amend by inserting "for every such entry the clerk shall receive the sum of twenty five cents."

Mr. Williams moved that the bill be postponed for one day.

The motion prevailed.

H. F. No. 367, A bill for an act to amend sec. 8, chap. 26, laws of Thirteenth General Assembly, with report of committee recommending a substitute, was taken up and considered.

Mr. Close moved that the bill be postponed for one day.

The motion prevailed.

H. F. No. 325, A bill for an act to protect holders of policies of life insurance, with report of committee recommending a substitute was taken up and considered.

The hour of 12 m. having arrived, the Speaker announced the House adjourned.

Two o'clock, P. M.

House called to order by the Speaker.

The question recurring on the adoption of the substitute, the substitute reported by the committee was adopted.

The bill was ordered engrossed and read a third time.

H. F. No. 379, A bill for an act to legalize and confirm the sale and conveyance of the swamp lands of Pocahontas county, &c., with report of committee recommending its passage, was taken up and considered.

Mr. Struthers moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Beatty, of Jasper; Beresheim, Blackman, Blakely, Bonewitz, Booth, Butler, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Day, Dayton, Draper, Duncan, Durham, Ellsworth, Flenniken, Goodspeed, Hall, Hanson, Heberling, Hopkirk, Irish, Johnston, Keables, Litzenberg, McAllister, McClure, McCoy, Merrell, Mills, Newbold, O'Donnell, Perkins, Rice, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Struthers, Tasker, Tufts, Williams, Wright, of Van Buren; and Mr. Speaker.—Total, 54.

The nays were—

Messrs. Evans, Green, Reed, Van Meter, and Wright, of Mills—Total, 5.

Absent or excused—

Messrs. Appleton, Ballinger, Beatty, of Cedar; Bergh, Blake, Bliss, Cadwell, Caldwell, Campbell, Cardell, Davisson, Duncombe, Ericson, Freeman, Gear, Hanan, Hewett, Hilton, Hovey, Kasson, Keables, Leahy, Lee, Maxwell, Miller, Morrison, Paul, Peet, Pratt, Renter, Rohlf, Stewart, Stow, Teale, Tuttle, Van Deventer, Van Saun, Whitten, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; and Wood, of Story.—Total, 41.

So the bill passed and the title was agreed to.

H. F. No. 383, A bill for an act in relation to the change of the boundary lines of civil townships, with report of committee recommending its passage, was taken up and considered.

The bill was ordered engrossed and read a third time.

Mr. Wright, of Van Buren, moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Beatty, of Jasper; Beresheim, Blackman, Blakely, Bonewitz, Booth, Butler, Campbell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Day, Dayton, Draper, Duncan, Durham, Ellsworth, Ericson, Flenniken, Goodspeed, Hanson, Heberling, Hopkirk, Johnston, Kasson, Keables, Litzenberg, McAllister, McClure, McCoy, Merrell, Mills, Reed, Rice, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stow, Struthers, Tasker, Van Meter, Williams, Wright, of Mills; Wright, of Van Buren, and Mr. Speaker—Total, 52.

The nays were—

Messrs. Christoph, Davis, Irish, Newbold, and Tufts—Total, 5.

Absent or excused—

Messrs. Appleton, Ballinger, Beatty, of Cedar; Bergh, Blake, Bliss, Cadwell, Caldwell, Cardell, Davisson, Dumont, Duncombe, Evans, Freeman, Gear, Green, Hall, Hanan, Hewett, Hilton, Hovey, Leahy, Lee, Litzenberg, Maxwell, Miller, Morrison, O'Donnell, Paul, Peet, Perkins, Pratt, Reuther, Rohlf, Stewart, Teale, Tuttle, Van Deventer, Van Saun, Whitten, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; and Wood, of Story—Total, 43.

So the bill passed and the title was agreed to.

H. F. No. 375, A bill for an act to amend section 3, chapter 160, laws of the Twelfth General Assembly, with report of committee recommending a substitute, was taken up and considered.

The substitute was adopted.

Mr. Heberling moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Beatty, of Jasper; Beresheim, Bergh, Blackman, Blakely, Bonewitz, Booth, Butler, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Day, Dayton, Draper, Dumont, Duncan, Durham, Ellsworth, Flenniken, Goodspeed, Green, Hanson, Heberling, Irish, Johnston, Kasson, Keables, Litzenberg, McAllister, McClure, McCoy, Merrell, Miller, Mills, Newbold, O'Donnell, Perkins, Pratt, Reed, Rice, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stow, Struthers, Tasker, Williams, Wright, of Van Buren; and Mr. Speaker—Total, 58.

The nays were—

Messrs. Hopkirk, Tufts, Van Meter, and Wright, of Mills—Total, 4.

Absent or excused—

Messrs. Appleton, Ballinger, Beatty, of Cedar; Blake, Bliss, Cadwell, Caldwell, Campbell, Cardell, Davisson, Duncombe, Ericson, Evans, Freeman, Gear, Hanan, Hewett, Hilton, Hovey, Leahy, Lee, Maxwell, Morrison, Paul, Peet, Reuther, Rohlf, Stewart, Teale, Tuttle, Van Deventer, Van Sann, Whitten, Wilson, of Keokuk; Wilson, of Washington; Wood, of Olay; and Wood, of Story—Total, 88.

So the bill passed and the title was agreed to.

H. F. No. 293, A bill for an act providing for the better security of the State penitentiary, &c., with report of committee recommending its passage, was taken up and considered.

Mr. Williams moved that the bill be postponed for one day.

The motion prevailed.

H. F. No. 250, A bill for an act to amend section 3307 of the Revision of 1860, with report of committee recommending amendments, was taken up and considered.

The committee amendments were adopted.

Mr. Ainsworth moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Jasper; Beresheim, Bergh, Blackman, Blakely, Bonewitz, Booth, Butler, Campbell, Carver, Christoph, Clarke, of Iowa; Olose, Crawford, Danforth, Davis, Day, Dayton, Draper, Dumont, Duncan, Durham, Evans, Flenniken, Goodspeed, Green, Hall, Hanson, Heberling, Hopkirk, Irish, Johnston, Keables, Litzenberg, McAllister, McClure, McCoy, Miller, Mills, Newbold, O'Donnell, Perkins, Pratt, Reed, Rice, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Struthers, Tasker, Van Meter, Williams, Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 60.

The nays were—

Messrs. Merrell, Stow, and Tufts—Total, 3.

Absent or excused—

Messrs. Ballinger, Beatty, of Cedar; Blake, Bliss, Cadwell, Caldwell, Cardell, Clark, of Benton; Davisson, Duncombe, Ellsworth, Ericson, Freeman, Gear, Hanan, Hewett, Hilton, Hovey, Kasson, Leahy, Lee, Maxwell, Morrison, Paul, Peet, Reuther, Rohlf, Stewart, Teale, Tuttle, Van Deventer, Van Sann, Whitten, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; and Wood, of Story—Total, 37.

So bill passed and the title was agreed to.

H. F. No. 126, A bill for an act for the removal of an escheat, with report of committee recommending its passage, was taken up and considered.

Mr. Green moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Jasper; Bergh, Blakely, Bonewitz, Booth, Butler, Campbell, Carver, Clarke, of Iowa; Danforth, Davis, Dayton, Dumont, Duncan, Durham, Ellsworth, Green, Hall, Hanson, Heberling, Hopkirk, Irish, Litzenberg, McClure, Merrell, Miller, Mills, Newbold, O'Donnell, Perkins, Pratt, Reed, Rice, Sandry, Schweer, Secor, Skillin, Stedman, Stow, Struthers, Tasker, Williams, Wood, of Story; and Wright, of Van Buren—Total, 46.

The nays were—

Messrs. Beresheim, Christoph, Close, Crawford, Day, Evans, Flenniken, Goodspeed, Johnston, Kasson, McAllister, Rule, Tufts, Van Meter, and Wright, of Mills—Total, 15.

Absent or excused—

Messrs. Ballinger, Beatty, of Cedar; Blackman, Blake, Blise, Cadwell, Caldwell, Cardell, Clark, of Benton; Davisson, Draper, Duncombe, Ericson, Freeman, Gear, Hanan, Hewett, Hilton, Hovey, Leahy, Lee, Maxwell, McCoy, Morrison, Paul, Peet, Reuther, Rohlf, Stewart, Teale, Tuttle, Van Deventer, Van Sann, Whitten, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; and Mr. Speaker—Total, 39.

So the bill having failed to receive a constitutional number of votes it was declared lost.

H. F. No. 348, A bill for an act to provide for the information concerning the deaf and dumb, with report of committee recommending its passage, was taken up and considered.

The bill was ordered engrossed, and to be read a third time.

H. F. No. 206, A bill for an act to amend section 1, chapter 88, of the acts of the Twelfth General Assembly, with report of committee recommending a substitute, was taken up and considered.

Mr. Ainsworth moved that the bill be postponed for one day.

The motion did not prevail.

Mr. Kasson moved that the bill be indefinitely postponed.

On the motion to postpone, Mr. Ainsworth demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Beatty, of Jasper; Beresheim, Blakely, Bonewitz, Butler, Campbell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Davis, Day, Draper, Dumont, Duncan, Durham, Ellsworth, Evans, Goodspeed, Green, Hanson, Hopkirk, Johnston, Kasson, Lee, Litzenberg, McClure, Miller, Mills, Newbold, Rice, Sandry, Schweer, Stedman, Tasker, Tufts, Van Meter, Wright, of Mills; and Wright, of Van Buren—Total, 41.

The nays were—

Messrs. Ainsworth, Appleton, Ballinger, Bergh, Booth, Danforth, Dayton, Flenniken, Hall, Heberling, Irish, McAllister, McCoy, O'Donnell, Perkins, Pratt, Reed, Rule, Secor, Skillin, Stow, Struthers, Williams, and Mr. Speaker—Total, 24.

Absent or excused—

Messrs. Ballinger, Beatty, of Cedar; Blackman, Blake, Bliss, Cadwell, Caldwell, Davisson, Duncombe, Ericson, Freeman, Gear, Hanan, Hewett, Hilton, Hovey, Keables, Leahy, Maxwell, Merrell, Morrison, Paul, Peet, Reuther, Rohlf, Stewart, Teale, Tuttle, Van Deventer, Van Sann, Whitten, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; and Wood, of Story—Total, 35.

So the bill was indefinitely postponed.

H. F. No. 201, A bill for an act to amend section 4481 of the Revision of 1860, with report of committee recommending its passage, was taken up and considered.

Mr. Davis moved that the bill be indefinitely postponed.

The motion did not prevail.

Mr. Ainsworth moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beresheim, Bergh, Blackman, Blakely, Bonewitz, Booth, Butler, Campbell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Crawford, Danforth, Davis, Day, Dayton, Draper, Dumont, Duncan, Durham, Ellsworth, Evans, Flenniken, Goodspeed, Green, Hall, Hanson, Heberling, Hopkirk, Irish, Johnston, McAllister, McClure, McCoy, Merrell, Miller, Mills, Newbold, O'Donnell, Perkins, Pratt, Reed, Rice, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stow, Struthers, Tasker, Van Meter, Williams, and Wright, of Mills—Total, 57.

The nays were—

Messrs. Beatty, of Jasper; Olose, Hopkirk, Kasson, Litzenberg, Tufts, Wright, of Van Buren; and Mr. Speaker—Total, 8.

Absent or excused—

Messrs. Ballinger, Beatty, of Cedar; Blake, Bliss, Cadwell, Caldwell, Cardell, Davisson, Duncombe, Ericson, Freeman, Gear, Hanan, Hewett, Hilton, Hovey, Keables, Leahy, Lee, Maxwell, Merrell, Morrison, Paul, Peet, Reuther, Rohlf, Stewart, Teale, Tuttle, Van Deventer, Van Sann, Whitten, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; and Wood, of Story—Total, 35.

So the bill passed and the title was agreed to.

H. F. No. 895, A bill for an act for the relief of the asylum at Andrew, &c., was taken up and considered.

Mr. Heberling moved that the bill be postponed for one day.



The motion prevailed.

H. F. No. 70, A bill for an act empowering township trustees to purchase grounds for cemetery purposes, with report of committee recommending its passage, was taken up and considered.

Mr. Draper moved to postpone the bill one day.

The motion prevailed.

H. F. No. 303, A bill for an act authorizing county surveyors to issue subpoenas for witnesses, with report of committee recommending its passage, was taken up and considered.

The substitute was adopted.

Mr. Ainsworth moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Jasper; Beresheim, Bergh, Blackman, Blakely, Bonewitz, Booth, Butler, Campbell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Day, Dayton, Draper, Dumont, Duncan, Durham, Ellsworth, Evans, Flenniken, Goodspeed, Green, Hall, Hanson, Heberling, Hopkirk, Irish, Johnston, Kasson, Keables, Litzenberg, McAllister, McClure, McCoy, Merrell, Miller, Mills, Newbold, O'Donnell, Perkins, Pratt, Reed, Rice, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stow, Struthers, Tasker, Tufts, Van Meter, Williams, Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 66.

The nays were none.

Absent or excused—

Messrs. Ballinger, Beatty, of Cedar; Blake, Bliss, Cadwell, Caldwell, Cardell, Davisson, Duncombe, Ericson, Freeman, Gear, Hanan, Hewett, Hilton, Hovey, Leahy, Lee, Maxwell, Morrison, Paul, Peet, Renther, Rohlf, Stewart, Teale, Tuttle, Van Deventer, Van Saun, Whitten, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; and Wood, of Story—Total, 34.

So the bill passed and the title was agreed to.

On motion of Mr. Irish, H. F. No. 5, A bill for an act to ensure the better professional education of dental surgery, with report of committee recommending amendments, was taken up and considered.

Mr. Irish moved that the bill be postponed until 2:30 p. m., to-morrow.

The motion prevailed.

#### REPORT OF COMMITTEE.

Mr. Williams, from the Committee on Judiciary, submitted the following report:



MR. SPEAKER :—Your Committee on Judiciary, to whom was referred H. F. No. 366, A bill for an act to authorize clerks of district and circuit courts to satisfy mortgages foreclosed in said courts, beg leave to report that they have had the same under consideration, and have instructed me to report back to the House the substitute herewith submitted, with the recommendation that it do pass.

J. L. WILLIAMS, *member of Committee.*

On motion of Mr. Williams, H. F. No. 366, A bill for an act to authorize clerks of district and circuit courts to satisfy mortgages, &c., with report of committee recommending a substitute, was taken up and considered.

The substitute was adopted.

The bill was ordered engrossed, and to be read a third time.

Mr. Williams moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Jasper; Beresheim, Bergh, Blackman, Blakely, Booth, Butler, Campbell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Day, Dayton, Dumont, Duncan, Durham, Ellsworth, Evans, Flenniken, Goodspeed, Green, Hall, Hanson, Heberling, Hopkirk, Irish, Johnston, Kasson, Keables, Lee, Litzenberg, McAllister, McClure, McCoy, Merrell, Miller, Mills, Newbold, O'Donnell, Perkins, Pratt, Reed, Rice, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stow, Struthers, Tasker, Tufts, Van Meter, Williams, Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 65.

The nays were none.

Absent or excused—

Messrs. Ballinger, Beatty, of Cedar; Blake, Bliss, Bonewitz, Cadwell, Caldwell, Cardell, Davisson, Dayton, Duncombe, Ericson, Freeman, Gear, Hanan, Hewett, Hilton, Hovey, Leahy, Maxwell, Morrison, Paul, Peet, Reuther, Rohlf, Stewart, Teale, Tuttle, Van Deventer, Van Saun, Whitten, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; and Wood, of Story—Total, 35.

So the bill passed and the title was agreed to.

On motion of Mr. O'Donnell, H. F. No. 199, A bill for an act for the protection of Inn-keepers, &c., with report of committee recommending its passage, was taken up and considered.

The bill was ordered engrossed and read a third time.

Mr. O'Donnell moved that the rule be suspended, and the bill

be considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Appleton, Beatty, of Jasper ; Beresheim, Bergh, Blackman, Blakely, Bonewitz, Booth, Butler, Carver, Christoph, Clark, of Benton ; Clarke, of Iowa ; Close, Crawford, Danforth, Davis, Day, Dayton, Draper, Dumont, Duncan, Durham, Ellsworth, Evans, Flenniken, Goodspeed, Hall, Hanson, Heberling, Hopkirk, Irish, Johnston, Kasson, Litzenberg, McAllister, McClure, McCoy, Miller, Newbold, O'Donnell, Perkins, Pratt, Reed, Rice, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Struthers, Tasker, Tufts, Williams, Wright, of Mills ; Wright, of Van Buren ; and Mr. Speaker—Total, 58.

The nays were—Mr. Ainsworth.

Absent or excused—

Messrs. Ballinger, Beatty, of Cedar ; Blake, Bliss, Cadwell, Caldwell, Campbell, Cardell, Davisson, Duncombe, Ericson, Freeman, Gear, Green, Hanan, Hewett, Hilton, Hovey, Keables, Leahy, Lee, Maxwell, Merrell, Mills, Morrison, Paul, Peet, Reuther, Rohlf, Stewart, Stow, Teale, Tuttle, Van Deventer, Van Meter, Van Saun, Whitten, Wilson, of Keokuk ; Wilson, of Washington ; Wood, of Clay ; and Wood, of Story—Total, 41.

So the bill passed and the title was agreed to.

H. F. No. 127, A bill for an act in relation to the organization of civil townships, with report of committee recommending its passage, was taken up and considered.

The amendments recommended by the committee were adopted.

Mr. Carver moved to strike out the publication clause.

The bill was ordered engrossed and read a third time.

Mr. Butler moved that the rule be suspended, and the bill be considered engrossed, and read a third time.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass ?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Jasper ; Beresheim, Bergh, Blackman, Blakely, Bonewitz, Booth, Butler, Campbell, Carver, Christoph, Clark, of Benton ; Clarke, of Iowa ; Crawford, Danforth, Davis, Day, Draper, Dumont, Duncan, Durham, Ellsworth, Flenniken, Goodspeed, Hall, Hanson, Heberling, Hopkirk, Irish, Johnston, Kasson, Litzenberg, McAllister, McCoy, Merrell, Miller, Mills, Newbold, O'Donnell, Perkins, Pratt, Reed, Rice, Sandry, Schweer, Skillin, Stedman, Stow, Struthers, Tasker, Tufts, Van Meter, Williams, Wright, of Mills ; Wright, of Van Buren ; and Mr. Speaker—Total, 58.

The nays were—

Messrs. Close, Evans, Green, and Secor—Total, 4.

Absent or excused—

Messrs. Ballinger, Beatty, of Cedar; Blake, Bliss, Cadwell, Caldwell, Cardell, Davisson, Dayton, Duncombe, Ericson, Freeman, Gear, Hanan, Hewett, Hilton, Hovey, Keables, Leahy, Lee, Maxwell, McClure, Morrison, Paul, Peet, Renthner, Rohlf, Rule, Stewart, Teale, Tuttle, Van Deventer, Van Saun, Whitten Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; and Wood, of Story—Total, 38.

So the bill passed and the title was agreed to.

H. F. No. 834, A bill for an act to regulate insurance companies, with report of the committee recommending it do not pass, was taken up and considered.

The bill was indefinitely postponed, in accordance with the recommendations of the committee.

H. F. No. 104, A bill for an act to amend section 35, chapter 167, acts of the 13th General Assembly, with report of committee recommending it do not pass, was taken up and considered.

On motion of Mr. Ainsworth the bill was indefinitely postponed.

H. N. No. 899, A bill for an act to give sub-directors control of school property, with report of committee recommending that it do not pass, was taken up and considered.

Mr. Irish submitted the following amendment:

*Provided*, That the majority of the electors of any sub district may, by petition, require the sub-director of any district to permit the school house to be used for religious or literary purposes.

The amendment was adopted.

On the recommendation of the committee to indefinitely postpone Mr. Irish demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Jasper; Bergh, Blackman, Bliss, Carver, Clark, of Benton; Davis, Day, Dumont, Duncan, Durham, Ellsworth, Evans, Flenniken, Goodspeed, Green, Johnston, Leahy, Litzenberg, McAllister, McClure, McCoy, Miller, Newbold, Pratt, Reed, Rice, Secor, Stedman, Stow, Tasker, Tufts, Van Meter, Van Saun, Wright, of Mills and Wright, of Van Buren—Total, 87.

The nays were—

Messrs. Beresheim, Blakely, Bonewitz, Booth, Campbell, Christoph, Clarke of Iowa; Close, Crawford, Danforth, Dayton, Draper, Hall, Hanson, Heberling, Hopkirk, Irish, Kasson, Lee, Merrell, O'Donnell, Perkins, Sandry, Schweer, Skillin, Struthers, Williams and Mr. Speaker—Total, 27.

Absent or excused—

Messrs. Ballinger, Beatty, of Cedar; Blake Butler, Cadwell, Caldwell, Cardell, Davisson, Duncombe, Ericson, Freeman, Gear, Hanan, Hewett, Hilton, Hovey, Keables, Maxwell, Mills, Morrison,

Paul, Peet, Renter, Rohlf, Rnle, Stewart, Teale, Tuttle, Van De-  
venter, Whitten, Wilson, of Keokuk; Wilson, of Washington,  
Wood, of Clay and Wood, of Story—Total, 36.

So the bill was indefinitely postponed.

By leave Mr. Davis offered the following resolution, which was  
adopted :

Joint resolution instructing the capitol commissioners to place a  
motto on the corner stone of the new capitol.

*Be it resolved by the General Assembly of the State of Iowa,*  
That the capitol commissioners are hereby required and instructed  
to cause to be engraved the word "Iowa" upon the west side of  
the corner stone of the new capitol, as now laid, in releif or raised  
letters as large as the size of the stone will permit, and when the  
capitol foundation is completed, relay the corner stone at the north  
east corner of the foundation, with the word "Iowa" as thus en-  
graved, facing the east.

On motion of Mr. Kasson the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, April 16th, 1872. }

House convened pursuant to adjournment.

The Speaker in the chair.

Prayer by Rev. D. H. Kooker.

Mr. Wright, of Mills, moved that the reading of the Journal be  
dispensed with.

#### INTRODUCTION OF BILLS.

Mr. Ballinger introduced H. F. No. 434, A bill for an act to  
amend chapter 62 of the Revision of 1860, in reference to tress-  
passing animals.

Read a first and second time and passed on file.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body  
that the Senate has passed the following bills without amendment:

H. F. No. 21, A bill for an act making additional appropriations  
for the Iowa Soldier's Orphans.

Also, H. F. No. 389, A bill for an act making further appropria-  
tions for the Deaf and Dumb Asylum, and for the maintenance of  
the institution.

I am also directed to inform your honorable body that the Senate has passed the following resolution, in which the concurrence of the House is asked :

Concurrent resolution authorizing the Secretary of State to purchase paper for the board of immigration.

J. A. T. HULL, *Secretary*.

BILLS ON SECOND READING.

H. F. No. 261, A bill for an act to amend article 2, chapter 72, Revision of 1860, &c., was taken up and considered.

The bill was ordered engrossed, and read a third time.

REPORTS OF COMMITTEES.

Mr. Bergh, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER:—The Committee on Enrolled Bills ask leave to report that they have examined the following Senate bills, and find the same correctly enrolled :

S. F. No. 196, A bill for an act to prohibit appropriations, gifts, or donations of public money or property for ecclesiastical or sectarian purposes.

Also, S. F. No. 244, A bill for an act to legalize the official acts of certain notaries public, and justices of the peace named herein.

Also, S. F. No. 190, A bill for an act making appropriations for the Agricultural College and Farm.

Also, S. F. No. 23, A bill for an act dividing the State into nine congressional districts.

Also, S. F. No. 75, A bill for an act pertaining to the division of civil townships.

Also, S. F. No. 264, A bill for an act to amend section 1, chapter 6, acts of the Fourteenth General Assembly, relative to bridges.

Also, S. F. No. 175, A bill for an act relative to county records, and to repeal section 2258 of Revision of 1860, and enact a substitute therefor.

Also, S. F. No. 161, A bill for an act to furnish transportation to discharged convicts.

Also, S. F. No. 12, A bill for an act to legalize the official acts of H. B. Hendershott, a notary public.

Also, S. F. No. 1, A bill for an act to repeal an act entitled an act to enable townships and incorporated towns and cities to aid in the construction of railroads, &c.

KNUT E. BERGH, *Chairman pro tem*.

H. F. No. 227, A bill for an act for the relief of James Jordan

and Matilda Carter, with the report of committee recommending its passage, was taken up and considered.

Mr. Campbell moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Beatty, of Jasper; Bergh, Blackman, Blakely, Bliss, Bonewitz, Booth, Campbell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Day, Dayton, Draper, Dumont, Duncan, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Gear, Goodspeed, Hanson, Heberling, Hewett, Hilton, Hopkirk, Johnston, Leahy, Lee, Litzenberg, McAllister, McClure, Merrell, Miller, Mills, Paul, Perkins, Reed, Renthner, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Teale, Tufts, Van Meter, Van Saun, Williams, Wilson, of Washington; Wright, of Mills; and Mr. Speaker—Total, 68.

The nays were none.

Absent or excused—

Messrs. Appleton, Ballinger, Beatty, of Cedar; Beresheim, Blake, Butler, Cadwell, Caldwell, Cardell, Davisson, Duncombe, Green, Hall, Hanan, Hovey, Irish, Kasson, Keables, Maxwell, McCoy, Morrison, Newbold, O'Donnell, Peet, Pratt, Tuttle, Van Deventer, Whitten, Wilson, of Keokuk; Wood, of Clay; Wood, of Story; and Wright, of Van Buren—Total, 32.

So the bill passed and the title was agreed to.

Mr. Rohlf moved to take up the resolution fixing the compensation of the employees of the House, and make it a special order for this afternoon.

The motion prevailed.

H. F. No. 394, A bill for an act concerning the transfer and conveyance of real estate by counties, with report of committee recommending its passage was taken up and considered.

Mr. Rohlf moved that the rule be suspended and the bill be considered engrossed and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Jasper; Beresheim, Bergh, Blackman, Blakely, Bliss, Booth, Campbell, Cardell, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Day, Dayton, Draper, Dumont, Duncan, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Goodspeed, Hanson, Heberling, Hewett, Hilton, Hopkirk, Johnston, Keables, Lea-

hy, Lee, Litzenberg, Maxwell, McClure, Merrell, Miller, Mills, Newbold, Paul, Perkins, Pratt, Reed, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Teale, Tufts, Van Meter, Van Saun, Williams, Wilson, of Washington; Wright, of Van Buren; and Mr. Speaker—Total, 71.

The nays were—Mr. Wright, of Mills—Total, 1.

Absent or excused—

Messrs. Ballinger, Beatty, of Cedar; Blake, Bonewitz, Butler, Cadwell, Caldwell, Carver, Davisson, Duncombe, Gear, Green, Hall, Hanan, Hovey, Irish, Kasson, McAllister, McCoy, Morrison, O'Donnell, Peet, Tuttle, Van Deventer, Whitten, Wilson, of Keokuk; Wood, of Clay; and Wood, of Story—Total, 28.

So the bill passed and the title was agreed to.

H. F. No. 167, A bill for an act to amend section 2366 of the Revision of 1860, &c., with report of committee recommending its passage, was taken up and considered.

Mr. Danforth moved that the rule be suspended and the bill be considered engrossed and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton Bergh, Blackman, Blakely, Bliss, Bonewitz, Campbell, Cardell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Day, Draper, Dumont, Duncan, Durham, Ellsworth, Ericson, Flenniken, Freeman, Gear, Goodspeed, Hanson, Heberling, Hewett, Hopkirk, Johnston, Keables, Leahy, Lee, Litzenberg, Maxwell, McClure, McCoy, Merrell, Miller, Mills, Newbold, Paul, Perkins, Pratt, Reed, Reuther, Rice, Rohlf, Rule, Sandry, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Teale, Tufts, Van Saun, Williams, Wilson, Washington; Wright, of Mills; Wright, of Van Buren and Mr. Speaker—Total, 69.

The nays were—Mr. Evans—Total, 1.

Absent or excused—

Messrs. Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Blake, Booth, Butler, Cadwell, Caldwell, Davisson, Dayton, Duncombe, Green, Hall, Hanan, Hovey, Irish, Kasson, McAllister, Morrison O'Donnell, Peet, Schweer, Tuttle, Van Deventer, Van Meter, Whitten, Wilson of Keokuk; Wood, of Clay; and Wood, of Story—Total, 30.

So the bill passed and the title was agreed to.

H. F. No. 163, A bill for an act for the protection of the insane, was taken up and read a third time.

Mr. Gear offered by way of rider, the following amendment:

The disbursing officer of such insane asylum shall pay the per



diem and mileage allowed such visiting committee under the provision of this act, and each member of such visiting committee shall certify under oath to such disbursing officer the number of days he has served, and the number of miles traveled.

The rider was read a first and second time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Jasper; Beresheim, Bergh, Blackman, Blakely, Bliss, Booth, Butler, Campbell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Day, Dayton, Draper, Dumont, Duncan, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Irish, Johnston, Keables, Leahy, Lee, Litzenberg, Maxwell, McClure, Merrell, Miller, Mills, Newbold, Paul, Perkins, Pratt, Reed, Renther, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Teale, Tuffs, Van Meter, Van Saun, Williams, Wilson, of Washington; Wright, of Mills; Wright, of Van Buren, and Mr. Speaker—Total, 78.

The nays were Mr. Christoph.

Absent or excused---

Messrs. Ballinger, Beatty, of Cedar; Blake, Cadwell, Caldwell, Davisson, Duncombe, Hanan, Hovey, Kasson, McAllister, McCoy, Morrison, O'Donnell, Peet, Tuttle, Van Deventer, Whitten, Wilson, of Keokuk; Wood, of Clay; and Wood, of Story—Total, 21.

So the bill passed and the title was agreed to.

H. F. No. 400, A bill for an act to allow district and circuit judges to interchange and hold each others' court, with report of committee recommending its passage, was taken up and considered.

Mr. Ainsworth moved that the bill be indefinitely postponed.

The motion prevailed.

H. F. No. 415, A bill for an act to authorize the sale of certain land donated to the State for the use of the Orphan's Homes, with report of committee recommending its passage, was taken up and considered.

The bill was ordered engrossed and read a third time.

Mr. Wright, of Mills, moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were —

Messrs. Appleton, Beatty, of Jasper; Beresheim, Bergh, Blakely, Bliss, Bonewitz, Booth, Butler, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Davisson, Dayton, Draper, Dumont, Duncan, Durham, Ellsworth,

Ericson, Flenniken, Freeman, Gear, Goodspeed, Green, Hall, Heberling, Irish, Johnston, Keables, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, Miller, Mills, Newbold, O'Donnell, Paul, Perkins, Reed, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Teale, Tufts, Van Meter, Van Saun, Williams, Wilson, of Washington; Wright, of Mills; and Wright, of Van Buren—Total, 69.

The nays were—

Messrs. Campbell, Christoph, Day, Hanson, Hopkirk, and Mr. Speaker—Total, 6.

Absent or excused—

Messrs. Ainsworth, Ballinger, Beatty, of Cedar; Blackman, Blake, Cadwell, Caldwell, Duncombe, Evans, Hanan, Hewett, Hilton, Hovey, Kasson, McCoy, Merrell, Morrison, Peet, Pratt, Tuttle, Van Deventer, Whitten, Wilson, of Keokuk; Wood, of Clay; and Wood, of Story—Total, 25.

So the bill passed and the title was agreed to.

H. F. No. 264, A bill for an act in relation to the equalization of assessments, with report of committee recommending a substitute, was taken up and considered.

The substitute was adopted.

Mr. Clarke, of Benton, moved that the rule be suspended and the bill be considered engrossed and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, " Shall the bill pass ? " the yeas and nays were as follows :

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Jasper; Beresheim, Bergh, Blackman, Blakely, Bliss, Bonewitz, Booth, Butler, Campbell, Cardell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Crawford, Danforth, Davis, Dayton, Duncan, Ellsworth, Ericson, Evans, Flenniken, Gear, Goodspeed, Hanson, Heberling, Irish, Johnston, Keables, Leahy, Litzenberg, McAllister, McClure, Merrell, Mills, Newbold, O'Donnell, Paul, Reed, Reuther, Rohlf, Rule, Sandry, Secor, Skillin, Stedman, Teale, Van Meter, Williams, Wright, of Mills, and Mr. Speaker—Total, 55.

The nays were—

Messrs. Close, Davisson, Durham, Freeman, Green, Hilton, Hopkirk, Lee, Maxwell, Miller, Rice, Schweer, Stewart, Stow, Struthers, Tufts, Van Saun, Wilson, of Washington; and Wright, of Van Buren—Total, 19.

Absent or excused—

Messrs. Ballinger, Beatty, of Cedar; Blake, Cadwell, Caldwell, Day, Draper, Dumont, Duncombe, Hall, Hanan, Hewett, Hovey, Kasson, McCoy, Morrison, Peet, Perkins, Pratt, Tasker, Tuttle,

Van Deventer, Whitten, Wilson, of Keokuk ; Wood, of Clay ; and Wood, of Story—Total, 26.

So the bill passed and the title was agreed to.

#### REPORTS OF COMMITTEES.

Mr. Newbold, from Committee on Schools, submitted the following report :

MR. SPEAKER :—Your Committee on Schools, to whom was referred H. F. No. 393, A bill for an act to re-assign certain territory in Johnson county for school purposes, beg leave to report the same back to the House without recommendation.

Also, S. F. No. 151, A bill for an act to amend chapter 172 of the acts of the Ninth General Assembly, passed April 8, 1862, in relation to schools ; also, chapter 57, laws of the Tenth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass with the following amendments, to-wit : Strike out sections 2 and 4.

Also, H. F. No. 56, A bill for an act to legalize the acts of the board of directors of the independent school district of the town of Steamboat Rock, county of Hardin, State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the accompanying papers with the recommendation that it be indefinitely postponed.

J. G. NEWBOLD, *Chairman.*

Mr. Close, from Committee on Agriculture, submitted the following report :

MR. SPEAKER :—Your Committee on Agriculture, to whom was referred S. F. No. 37, A bill for an act to prevent the unlawful driving away of stock, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, Substitute for S. F. No. 82, beg leave to report that they have have had the same under consideration, and have instructed me to report the same back to the House without recommendation.

CLOSE, *Chairman.*

On motion of Mr. Irish, H. F. No. 398, A bill for an act to re-assign certain territory in Johnson county, for school purposes, with report of committee, was taken up and considered.

The House refused to order the bill engrossed and read a third time.

Mr. Van Meter called up the motion to reconsider the vote by

which H. F. No. 291, A bill for an act to repeal a part of section 1, chapter 33, acts of the 9th General Assembly, was lost.

The motion to reconsider prevailed.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Appleton, Beatty, of Jasper; Beresheim, Blakely, Bonewitz, Booth, Butler, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Crawford, Danforth, Davis, Davisson, Day, Draper, Duncan, Evans, Freeman, Goodspeed, Hall, Hanson, Heberling, Hewett, Hopkirk, Irish, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, McCoy, Miller, Mills, Newbold, Perkins, Reed, Rice, Rohlf, Rule, Secor, Stedman, Stewart, Struthers, Teale, Tufts, Van Meter, Van Saun, Williams, Wilson, of Washington; Wright, of Mills; Wright, of Van Buren, and Mr. Speaker—Total, 59.

The nays were—

Messrs. Ainsworth, Blackman, Bliss, Dayton, Durham, Ellsworth, Ericson, Flenniken, Gear, Green, Hilton, Merrell, O'Donnell, Reuther, Sandry, Schwaer, Skillin, Stow, Tasker, and Tuttle—Total, 20.

Absent or excused—

Messrs. Ballinger, Beatty, of Cedar; Bergh, Blake, Cadwell, Caldwell, Cardell, Campbell, Close, Dumont, Duncombe, Hanan, Hovey, Morrison, Paul, Peet, Pratt, Van Deventer, Whitten, Wilson, of Keokuk; Wood, of Clay; and Wood, of Story—Total, 23.

So the bill passed and the title was agreed to.

Mr. Ainsworth moved to reconsider the vote by which the enacting clause was stricken out of H. F. No. 384.

The motion prevailed.

The question recurring on the motion to strike out the publication clause, the motion to strike out did not prevail.

Mr. Kasson moved to reconsider the vote by which section 5 was stricken out.

The motion prevailed.

The motion to strike out section five did not prevail.

The House refused to order the bill engrossed.

On motion of Mr. Hall special order, H. F. No. 298, A bill for an act regulating railroads, with report of committee recommending a substitute, was taken up and considered.

Pending the consideration of the bill the hour of 12 M. arrived and the Speaker announced the House adjourned.

TWO O'CLOCK, P. M.

House called to order by the Speaker.

The House resumed the consideration of H. F. No. 298.

Mr. Davis offered the following amendment:

After the word town in the first line of section 2, insert "nor between the turning out points of any depot or station."

The amendment was adopted.

Mr. Maxwell moved to strike out of the ninth line of section 3, the words "and sound the whistle."

The amendment was adopted.

Mr. Kasson from the Committee on Ways and Means submitted the following report :

MR. SPEAKER:—Your Committee on Ways and Means, to whom was referred H. F. No. 426, A bill for an act in relation to the duties of county auditors and the State Census Board, beg leave to report that they have had the same under consideration, and a majority of the committee have instructed me to report the same back to the House with the recommendation that it be amended by inserting in the 6th line of sec. 1, after the word "sold" the words "and conveyed by warranty deed:" by striking out the word "each" and inserting the word "his" in lieu thereof: by striking out the word "any" in the 8th line of said section: by striking out the words "copy of such record showing the average" in the 6th and 7th line of section 2, and inserting in lieu thereof the words "statement of the aggregate number of acres so sold and the aggregate:" by striking out the words "per acre for all lands sold" and inserting in lieu thereof, the word "therefor:" by inserting before the word "from" in the 8th line the word "beginning:" by striking out the words "an average per acre of" in the 13th line: by striking out the words "for the two years preceeding" and inserting in lieu thereof the words "subsequent to the last preceding report."

JOHN A. KASSON, *Chairman.*

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following bills and resolutions, in which the concurrence of the House is asked:

Substitute for S. F. No. 52, A bill for an act to amend chapter 175 of the laws of the 13th General Assembly, entitled an act providing additional fees for sheriffs, constables and others, in certain criminal cases.

Also S. F. No. 268, A bill for an act authorizing the board of supervisors of Polk county, Iowa, to extend the time for the completion of the Des Moines and Minnesota Railroad through Polk county, Iowa, &c.

Also, a concurrent resolution authorizing G. N. Edwards to remain one week after the adjournment for the purpose of forwarding mail to members.

Also, a concurrent resolution instructing the Secretary of State to forward documents.

I am also directed to inform your honorable body that the Senate has passed the following bills without amendment :

H. F. No. 158, A bill for an act to amend section 2, chapter 177, of the acts of the Thirteenth General Assembly.

Also, H. F. No. 366, A bill for an act to authorize clerks of the district and circuit courts to satisfy mortgages foreclosed in said courts upon payment of the decree and judgment rendered thereon.

Also, H. F. No. 427, A bill for an act making appropriations for the payment of the mileage of the Fourteenth General Assembly.

Also, H. F. No. 312, A bill for an act to allow all appeals to the Supreme Court from the counties of Hardin and Franklin to be taken to Des Moines instead of Dubuque.

Also, H. F. No. 100, A bill for an act to legalize the sale of school lands in Lucas county.

Also, H. F. No. 357, A bill for an act providing for the return of poll books to the county auditor, with amendments as follows: Strike out of the first line the word "fourteenth;" strike out the word "annual," and insert the word "general;" strike out the word "five," and insert "two;" strike out the words "such sum as the county supervisors may allow," and insert "such per diem and mileage as allowed by law to grand jurors."

I am also directed to inform your honorable body that the Senate has concurred in House amendments to Senate Files numbers 46, 47, and 147.

J. A. T. HULL, *Secretary*.

The House refused to adopt the substitute.

Mr. Davis moved to amend section 4, as follows: After the word town in the first line insert "or between the turning out points at any station or depot."

The amendment was adopted.

On motion of Mr. Hall, the bill was considered by sections.

Mr. Beresheim moved to amend section 1 by inserting in the second line after the word "railroad," the words "whose entire line of road is."

The amendment was not adopted.

Mr. Hall moved to amend section 1, by inserting in the third line after the word "one," the words "tracks."

The amendment was adopted.

Mr. Hall moved to amend section 2, by striking out of the fifteenth line the words "permit them to be transmitted," and insert "transfer them."

The amendment was adopted.

Mr. Williams moved to amend section 2, by adding: *Provided, further*, The same can be done without disarrangement of the regular running time of said roads.

The amendment was adopted.

Mr. Ainsworth moved to strike out section 5.

The motion did not prevail.

Mr. Hall moved to amend section 6, as follows: In second line strike out "\$3.00," and insert "\$4.00;" and in fifth line strike out "1,000," and insert "400."

The amendment was adopted.

Mr. Danforth moved to amend section 4, as follows: After the word "cars," in the third line insert "any train approaching a public highway the engineer shall ring the bell when within one hundred yards of such highway, and shall continue to do so until they cross the same."

The amendment was adopted.

Mr. Beresheim moved to amend by adding "nothing in this act shall be so construed as to in any way interfere or apply to the act entitled 'an act requiring specified acts and duties of railroad companies, and providing certain remedies for the enactment of the same,' or to invalidate any of the rights relative thereto."

The amendment was adopted.

Mr. Stow moved to reconsider the vote by which the House refused to strike out section 5.

The motion prevailed.

The motion to strike out prevailed.

Mr. Green moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Jasper; Bergh, Blakely, Bliss, Bonewitz, Butler, Cadwell, Campbell, Cardell, Carver, Christoph, Clarke of Iowa; Close, Crawford, Danforth, Davis, Day, Dayton, Draper, Dumont, Durham, Ellsworth, Evans, Flenniken, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Hewatt, Hilton, Hopkirk, Irish, Johnston, Kasson, Litzenberg, McAllister, McCoy, Mills, Newbold, O'Donnell, Paul, Pratt, Reed, Reuther, Rice, Sandry, Schweer, Skillin, Stewart, Stow, Tasker, Tufts, Van Meter, Van Saun, Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 63.



The nays were—

Messrs. Beresheim, Blackman, Booth, Clark, of Benton; Davisson, Ericson, Heberling, Keables, Leahy, Lee, Maxwell, McClure, Merrell, Miller, Perkins, Rohlf, Rule, Stedman, Struthers, Tuttle, Williams, and Wilson, of Washington—Total, 22.

Absent or excused—

Messrs. Beatty, of Cedar; Blake, Caldwell, Duncan, Duncombe, Hanan, Hovey, Morrison, Peet, Secor, Teale, Van Deventer, Whitten, Wilson, of Keokuk; and Wood, of Clay—Total, 15.

So the bill passed and title was agreed to.

The Speaker submitted a message from the Governor, which was passed on file.

Mr. Rohlf moved that the special order, the resolution fixing the compensation of the officers and employees of the House, be now taken up.

The motion prevailed.

*Resolved*, That the compensation per day of the officers and employees of the House be as follows:

Chief Clerk.....	\$10.00
First and Second Assistants, each.....	8.00
Engrossing and Enrolling Clerks.....	7.00
Sergeant-at-Arms.....	5.00
Janitors, each.....	6.00
Doorkeeper and Paper Folders, each.....	4.00
Messengers, each.....	3.00

Mr. Campbell moved to reconsider the vote by which the House passed H. F. No. 226, the consideration of which was postponed.

The question recurring on the resolution, the amendments recommended by the committee were not adopted.

Mr. Leahy moved to insert nine dollars for first and second assistant clerks.

The motion did not prevail.

Mr. Evans moved to strike out "ten dollars," and insert "eight dollars for the chief clerk," and demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Appleton, Beatty, of Jasper; Blakely, Bonewitz, Cadwell, Campbell, Cardell, Carver, Close, Crawford, Danforth, Davisson, Day, Draper, Dumont, Durham, Ellsworth, Ericson, Evans, Goodspeed, Hanson, Hilton, Hopkirk, Johnston, Kasson, Leahy, Miller, Reed, Renther, Rice, Sandry, Schweer, Skillin, Stewart, Tasker, Tufts, Van Meter, Van Sann, Wood, of Story; Wright, of Mills; and Wright, of Van Buren—Total, 41.

The nays were—

Messrs. Ainsworth, Ballinger, Beresheim, Bergh, Bliss, Booth, Butler, Christoph, Clark, of Benton; Dayton, Flenniken, Free-

man, Gear, Green, Heberling, Hewett, Irish, Keables, Lee, Litzenberg, Maxwell, McAllister, McClure, Merrell, Mills, Newbold, O'Donnell, Paul, Perkins, Pratt, Rohls, Rule, Secor, Stedman, Stow, Struthers, Tuttle, Williams, Wilson, of Washington; and Mr. Speaker—Total, 41.

Absent or excused—

Messrs. Beatty, of Cedar; Blackman, Blake, Caldwell, Clarke, of Iowa; Davis, Duncan, Duncombe, Hanan, Hovey, McCoy, Morrison, Peet, Teale, Van Deventer, Whitten, Wilson, of Keokuk; and Wood, of Clay—Total, 18.

So the amendment was lost.

Mr. Leahy moved that "five dollars" be stricken out, and "six dollars" inserted, for Sergeant-at-Arms.

The motion did not prevail.

On the adoption of the resolution, the yeas and nays were demanded, which were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty of Jasper; Beresheim, Bergh, Blackman, Bliss, Booth, Butler, Christoph, Clark, of Benton; Davison, Dayton, Flenniken, Freeman, Gear, Green, Heberling, Hewett, Irish, Keables, Lee, Litzenberg, Maxwell, McAllister, McClure, Merrell, Mills, Newbold, O'Donnell, Paul, Perkins, Pratt, Reed, Rohls, Rule, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tufts, Tuttle, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story; Wright, of Mills; and Mr. Speaker—Total, 52.

The nays were—

Messrs. Blakely, Bonewitz, Cadwell, Campbell, Cardell, Carver, Clarke, of Iowa; Close, Crawford, Danforth, Day, Draper, Dumont, Durham, Ellsworth, Ericson, Evans, Goodspeed, Hanson, Hopkirk, Johnston, Leahy, Miller, Renthner, Rice, Sandry, Tasker, Van Meter, Van Saun, and Wright, of Van Buren—Total, 30.

Absent or excused—

Messrs. Beatty, of Cedar; Blake, Caldwell, Davis, Duncan, Duncombe, Hall, Hanan, Hilton, Hovey, Kasson, McCoy, Morrison, Peet, Teale, Van Deventer, Whitten, and Wood, of Clay—Total, 18.

So the resolution was adopted.

#### REPORTS OF COMMITTEES.

Mr. Kasson, from Committee on Ways and Means, submitted the following report, with accompanying bill:

MR. SPEAKER:—Your Committee on Ways and Means, having had under consideration a bill for an act making appropriations for the payment of State and judicial officers, interest on State bonds, and for other State purposes as therein mentioned, have instructed

me to report the same to the House with the recommendation that it do pass.

JOHN A. KASSON, *Chairman*.

On motion of Mr. Kasson, H. F. No. 425, the general appropriation bill, was read a first and second time.

Mr. Ellsworth moved to strike out that portion relating to Adjutant-General.

Mr. Blakely moved that the bill be postponed till to morrow at 11 o'clock.

The motion did not prevail.

The motion to strike out did not prevail.

Mr. Kasson moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, " Shall the bill pass ? " the yeas and nays were as follows :

The yeas were—

Messrs. Appleton, Ballinger, Beatty, of Jasper; Beresheim, Bergh, Bliss, Bonewitz, Booth, Butler, Cadwell, Campbell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Davisson, Day, Dumont, Durham, Ericson, Flenniken, Freeman, Gear, Goodspeed, Green, Hanson, Heberling, Hewett, Irish, Johnston, Kasson, Keables, Lee, Litzenberg, Maxwell, McAlister, McClure, McCoy, Merrell, Miller, Mills, Newbold, O'Donnell, Paul, Perkins, Pratt, Reuther, Rohlf, Rule, Secor, Stedman, Stow, Struthers, Tasker, Tufts, Tuttle, Van Meter, Van Sann, Williams, Wilson, of Keokuk; Wilson, of Washington; Wright, of Mills; and Mr. Speaker—Total, 67.

The nays were—

Messrs. Ainsworth, Blakely, Christoph, Ellsworth, Hilton, Hopkirk, Reed, Sandry, Schweer, Skillin, Stewart, and Wright, of Van Buren—Total, 12.

Absent or excused—

Messrs. Beatty, of Cedar; Blackman, Blake, Caldwell, Dayton, Draper, Duncan, Duncombe, Evans, Hall, Hanan, Hovey, Leahy, Morrison, Peet, Rice, Teale, Van Deventer, Whitten, Wood, of Clay; and Wood, of Story—Total, 21.

So the bill passed and the title was agreed to.

Leave was granted to Mr. Rohlf to submit a report from the Committee on Compensation of Public Officers, in relation to pay of Postmaster and Assistant-Postmaster.

The resolution was taken up and concurred in.

By leave, Mr. Campbell offered the following resolution :

*Resolved*, That the Committee on Compensation of Public Officers are instructed to inquire and report to the House whether a large reduction may not be made in the salaries of public officers

without injury to the public interests, and report a bill making such reduction as they may find proper.

Mr. Rohlf, from Committee on Compensation of Public Officers, submitted the following report:

MR. SPEAKER:—Your Committee on Compensation of Public Officers, to whom was referred S. F. No. 186, A bill for an act fixing the compensation of the General Assembly and officers and employees thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House without any recommendation.

M. J. ROHLFS, *Chairman.*

S. F. No. 186, A bill for an act fixing the compensation of the General Assembly, and officers, &c., was made a special order for to-morrow at 11 o'clock A. M.

Mr. Pratt from the Committee on Judiciary submitted the following report:

MR. SPEAKER:—Your Committee on Judiciary to whom was referred S. F. No. 180, A bill for an act to regulate city indebtedness and providing for the payment thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, S. F. No. 241, A bill for an act, &c., beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House without recommendation.

Also, S. F. No. 83, A bill for an act, &c., beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, H. F. No. 416, A bill for an act to provide for the perfecting of tax titles, beg leave to report that they had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, Substitute for S. F. No. 71, A bill for an act to legalize the sale of certain swamp lands in Carroll county to E. F. Borgan, William Bowers and Robert Mulloy, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that be indefinitely postponed.

Also, H. F. No. 310, A bill for an act to repeal section 4244 of the Revision of 1860 in relation to embezzlement by officers, etc., and providing a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to

report the same back to the House with the recommendation that it be indefinitely postponed.

Also, H. F. No. 410, A bill for an act to amend chapter 101 of the Revision of 1860, beg leave to report that they have had the same under consideration and a majority of the committee have instructed me to report the same back to the House with the recommendation that it do pass.

Also, S. F. No. 239, A bill for an act to legalize the incorporation of the town of Bedford, Iowa, and the election of its town council and their acts and ordinances, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, H. F. No. 417, A bill for an act to transfer certain swamp land warrants of Cherokee county, Iowa, to county warrants, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, substitute for S. F. No. 67, A bill for an act to require indexes to be kept to the register of sales, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, S. F. No. 263, A bill for an act to remove the disabilities of Mordecai Cropper, and to restore him to citizenship, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House without recommendation.

Also, S. F. No. 238, A bill for an act to legalize the ordinances of the city of Waverly, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Also, S. F. No. 215, A bill for an act to amend chapter 148 of the acts of the Thirteenth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

Also, S. F. No. 248, A bill for an act to legalize the organization of the town of Ames, Story county, Iowa, beg leave to report that they had the same under consideration, and have instructed me to report the same back to the House without recommendation.

Also, S. F. No. 216, A bill for an act providing that the district and circuit judges shall fix the time for holding courts in their respective districts and circuits, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

H. O. PRATT, *Chairman.*

Mr. Campbell moved to reconsider the vote by which the House ordered engrossed H. F. No. 325.

The consideration of the motion was postponed.

On motion of Mr. Gear, the special order, S. F. No. 84, A bill for an act to amend an act entitled "An act to protect game," with report of committee recommending its passage, was taken up and considered.

Mr. Close offered a substitute.

Mr. Kasson moved to strike out the word "killed."

The motion prevailed.

Mr. Hilton moved to strike out "minks."

The motion did not prevail.

Mr. Gear moved to strike out "1st of August" and insert "15th of August."

The motion prevailed.

The substitute was adopted.

Mr. Close moved that the rule be suspended, that the bill be considered engrossed, and read a third time now.

The motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Jasper; Beresheim, Blakely, Booth, Cadwell, Cardell, Carver, Clarke, of Iowa; Close, Crawford, Danforth, Davis, Day, Draper, Dumont, Durham, Ellsworth, Ericson, Evans, Gear, Goodspeed, Green, Hanson, Heberling, Irish, Kasson, Keables, Leahy, Litzenberg, McClure, Mills, Newbold, Paul, Perkins, Pratt, Reed, Renther, Rohls, Rule, Sandry, Secor, Skillin, Stedman, Struthers, Teale, Tafts, Tuttle, Van Saun, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story; and Mr. Speaker—Total, 56.

The nays were—

Messrs. Bonewitz, Christoph, Davisson, Freeman, Hilton, Hopkirk, Johnston, Lee, McCoy, Rice, Schweer, Stewart, Tasker, Van Meter, and Wright, of Van Buren—Total, 15.

Absent or excused—

Messrs. Beatty, of Cedar; Bergh, Blackman, Blake, Bliss, Butler, Caldwell, Campbell, Clark, of Benton; Dayton, Duncan, Duncombe, Flenuiken, Hall, Hanan, Hewett, Hovey, Maxwell, McAllister, Merrell, Miller, Morrison, O'Donnell, Peet, Stow, Van Deventer, Whitten, Wood, of Clay; and Wright, of Mills—Total, 29.

So the bill passed and the title was agreed.

On motion of Mr. Tuttle, S. F. No. 268, A bill for an act authorizing the board of supervisors of Polk county, Iowa, to extend the time for the completion of the Des Moines & Minnesota Railroad, &c., with report of committee recommending its passage, was taken up and considered.

Mr. Tuttle moved that the rule be suspended, and the bill be



considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Jasper; Beresheim, Bergh, Blakely, Booth, Campbell, Cardell, Carver, Christoph, Close, Crawford, Danforth, Davis, Davisson, Day, Draper, Dumont, Duncan, Durham, Ellsworth, Freeman, Gear, Goodspeed, Green, Hanson, Heberling, Hilton, Hopkirk, Irish, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, McAllister, McClure, McCoy, Merrell, Miller, Mills, Newbold, O'Donnell, Paul, Reed, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Skillin, Stewart, Struthers, Tufts, Tuttle, Van Meter, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story; Wright, of Van Buren; and Mr. Speaker—Total, 66.

The nays were—

Messrs. Bonewitz, and Tasker—Total, 2.

Absent or excused—

Messrs. Ballinger, Beatty, of Cedar; Blackman, Blake, Bliss, Butler, Cadwell, Caldwell, Clark, of Benton; Clarke, of Iowa; Dayton, Duncombe, Ericson, Evans, Flenniken, Hall, Hanan, Hewett, Hovey, Maxwell, Morrison, Peet, Perkins, Pratt, Stedman, Stow, Teale, Van Deventer, Van Saun, Whitten, and Wood, of Clay—Total, 32.

So the bill passed and the title was agreed to.

Mr. Leahy, by leave, offered the following resolution:

Joint resolution memorializing Congress to reduce the tariff on type and printing material.

WHEREAS, It appears that the tariff on type and printing material is such as to amount to a prohibition upon the importation of those articles into the country, that its effect is to create a monopoly in favor of a few individuals to the great detriment of printers and publishers throughout the United States.

WHEREAS, The nature of our institutions, and the development of the resources of the country require that the growth and prosperity of the Press should not be impeded by unfriendly legislation; therefore,

*Be it Resolved by the General Assembly of the State of Iowa,* That our Senators in Congress are hereby instructed, and our Representatives requested to use their influence to effect a readjustment of the tariff so as to prevent a monopoly in the manufacture of, or traffic in, type and printing material.

Mr. Campbell moved to amend by inserting "or any other article used by the people of the United States," and demanded the yeas and nays which, were as follows:

The yeas were—

Messrs. Ainsworth, Ballinger, Beatty, of Jasper; Beresheim,



Bergh, Blakely, Cadwell, Campbell, Christoph, Clarke, of Iowa; Danforth, Day, Draper, Hanson, Hilton, Hopkirk, Irish, Johnston, Kasson, Leahy, McAllister, McCoy, Merrell, Miller, Mills, O'Donnell, Paul, Reed, Sandry, Schweer, Skillin, Stewart, Stow, Struthers, Tasker, Teale, Tuttle, and Van Meter—Total, 37.

The nays were—

Messrs. Appleton, Blackman, Bonewitz, Booth, Carver, Clark, of Benton; Close, Crawford, Davis, Davisson, Dumont, Duncan, Durham, Ellsworth, Ericson, Freeman, Gear, Goodspeed, Heberling, Keables, Lee, Litzenberg, McClure, Newbold, Reuther, Rice, Rohlf, Rule, Secor, Tufts, Van Sann, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 38.

Absent or excused—

Messrs. Beatty, of Cedar; Blake, Bliss, Butler, Caldwell, Cardell, Dayton, Duncombe, Evans, Flenniken, Green, Hall, Hanan, Hewett, Hovey, Maxwell, Morrison, Peet, Perkins, Pratt, Stedman, Van Deventer, Whitten, and Wood, of Clay—Total, 25.

So the motion did not prevail.

The hour of adjournment having arrived the Speaker announced the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, April 17, 1872. }

House convened pursuant to adjournment.

The Speaker in the chair.

Prayer by Rev. W. J. Gill.

Mr. Newbold moved that the reading of the Journal be dispensed with.

The motion prevailed.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following bills, in which the concurrence of the House is asked.

S. F. No. 235, A bill for an act to provide for the disposal of property held by the State, and to legalize sales and conveyances thereof heretofore made.

I am also directed to inform your honorable body that the Senate has passed without amendment:

H. F. No. 73, A bill for an act to amend section 2, of chapter 173, of the laws of the Ninth General Assembly.

Also, H. F. No. 129, A bill for an act to amend section 3, chapter 158, of the laws of the Thirteenth General Assembly, in relation to reading wills.

Also, H. F. No. 175, A bill for an act providing for the organization of independent school districts.

Also, H. F. No. 291, A bill for an act to repeal a part of section No. 1, of chapter No. 23, of the acts of the Ninth General Assembly.

Also, H. F. No. 305, A bill for an act to amend chapter 148 of the acts of the Ninth General Assembly.

J. A. T. HULL, *Secretary*.

Leave was granted to Mr. Duncan to record his vote yea on H. F. No. 298, A bill to regulate railroads.

#### INTRODUCTION OF BILLS.

Mr. Leahy introduced H. F. No. 437, A bill for an act in relation to trespass by domestic animals.

Read a first and second time and passed on file.

Mr. Wright, of Mills, introduced H. F. No. 437, A bill for an act to amend chapter 92 of the acts of the Eleventh General Assembly.

Read a first and second time.

Mr. Wright, of Mills, moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ba'llinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blakely, Bliss, Bonewitz, Booth, Cadwell, Campbell, Cardell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Davisson, Day, Dayton, Dumont, Duncan, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Johnston, Keables, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Miller, Mills, Newbold, Perkins, Pratt, Reed, Reuther, Rice, Rohlf, Sandry, Schweer, Secor, Skillin, Stewart, Stow, Struthers, Teale, Tufts, Van Meter, Van Saun, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 78.

The nays were none.

Absent or excused—

Messrs. Blackman, Blake, Butler, Caldwell, Draper, Duncombe, Hanan, Hovey, Irish, Kasson, Morrison, O'Donnell, Paul, Peet, Rule, Stedman, Tasker, Tuttle, Van Deventer, Whitten, Williams, and Wood, of Clay—Total, 22.

So the bill passed and the title was agreed to.

Mr. Lee, from Committee on Engrossed Bills submitted the following report:

MR. SPEAKER:—The Committee on Engrossed Bills ask leave to report that they have examined the following bills, and find the same correctly engrossed:

Substitute for H. F. No. 163, A bill for an act to protect the insane.

Also, H. F. No. 359, A bill for an act authorizing cities &c., to construct water works.

Also, H. F. No. 298, A bill for an act regulating railroads.

JOHN M. LEE, *for Committee.*

#### BILLS ON SECOND READING.

H. F. No. 404, A bill for an act to legalize the acts of the Logan town company, with report of committee recommending its passage, was taken up and considered.

Mr. Cadwell moved that the rule be suspended and the bill be considered engrossed and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beresheim, Bergh, Blackman, Blakely, Bliss, Bonewitz, Booth, Butler, Cadwell, Campbell, Cardell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davisson, Day, Davton, Draper, Dumon, Duncan, Durham, Ellsworth, Ericson, Flenniken, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Johnston, Keables, Lee, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Miller, Mills, Newbold, O'Donnell, Pratt, Reuther, Rice, Rohlf, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Tufts, Tuttle, Van Meter, Van Saun, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story; Wright, of Mills; Wright, of Van Buren and Mr. Speaker—Total, 76.

The nays were—

Messrs. Davis, Leahy and Teale—Total, 3.

Absent or excused—

Messrs. Beatty, of Cedar; Beatty, of Jasper; Blake, Caldwell,

Dancombe, Evans, Freeman, Hanan, Hovey, Irish, Kasson, Morrison, Paul, Peet, Perkins, Reed, Rule, Van Deventer, Whitten, Williams, and Wood, of Clay—Total, 21.

So the bill passed and the title was agreed to.

Mr. Teale moved to take up the motion to reconsider the vote by which H. F. No. 66, A bill for an act for the suppression of intemperance, &c., was referred back to the committee.

The motion prevailed.

On the motion to reconsider, the yeas and nays were demanded, which were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Bergh, Blakely, Bonewitz, Butler, Cadwell, Campbell, Cardell, Carver, Clarke, of Iowa; Close, Crawford, Danforth, Davis, Dayton, Dumont, Duncan, Durham, Ellsworth, Evans, Goodspeed, Hanson, Hilton, Hopkirk, Johnston, Lee, Litzenberg, McAllister, McClure, Miller, Mills, Newbold, Pratt, Rice, Secor, Stedman, Stow, Struthers, Teale, Tutts, Tuttle, Van Meter, Van Saun, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story; Wright, of Mills; and Wright, of Van Buren—Total, 53.

The nays were—

Messrs. Beresheim, Bliss, Booth, Christoph, Day, Ericson, Freeman, Gear, Green, Hall, Heberling, Hewett, Keables, Maxwell, McCoy, Merrell, O'Donnell, Paul, Reed, Reuther, Rohlf, Rule, Sandry, Schweer, Skillin, Stewart, Williams, and Mr. Speaker—Total, 28.

Absent or excused—

Messrs. Blackman, Blake, Caldwell, Clark, of Benton; Davisson, Draper, Durcombe, Flenniken, Hanan, Hovey, Irish, Kasson, Leahy, Morrison, Peet, Perkins, Tasker, Van Deventer, Whitten, and Wood, of Clay—Total, 29.

So the motion to reconsider prevailed.

#### REPORTS OF COMMITTEES.

Mr. Bergh, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bills, viz:

S. F. No. 190, An act making appropriations for the Agricultural College.

Also, S. F. No. 12, An act to legalize the official acts of H. B. Hendershott, a notary public.

Also, S. F. No. 261, An act to legalize the acts of the board of supervisors of Poweshiek county.

Also, H. F. No. 21, An act making additional appropriation for Iowa Soldiers' Orphans Home.

Also, H. F. No. 389, An act making further appropriations for the Deaf and Dumb Asylum.

Also, S. F. No. 1, An act to repeal an act entitled an act, &c.

Also, H. F. No. 408, An act to legalize the ministerial acts of John T. Robinson, a justice of the peace.

Also, H. F. No. 420, An act to legalize the incorporation of the town of Sharon.

Also, H. F. No. 90, An act to amend chapter 29 of the Ninth General Assembly.

Also, H. F. No. 330, An act to amend chapter 22 of the Revision of 1860.

Also, H. F. No. 425, An act to change the time of holding the fourth term of circuit court in Monroe county.

Also, H. F. No. 833, An act to determine the weight per bushel of certain fruits.

Also, H. F. No. 89, An act to provide for the preservation of fish.

Also, S. F. No. 28, An act dividing the State into nine congressional districts.

Also, S. F. No. 175, An act in relation to county records, and to repeal section 2258 of the Revision.

Also, S. F. No. 196, An act to prohibit appropriations of public money for sectarian purposes.

Also, S. F. No. 161, An act to furnish transportation to discharged convicts.

Also, S. F. No. 75, An act pertaining to the division of civil townships.

Also, S. F. No. 264, An act to amend section 1, chapter 6, acts of the Fourteenth General Assembly.

Also, S. F. No. 244, An act to legalize the official acts of certain notaries public.

KNUT E. BERGH, *Chairman pro tem.*

Mr. Bergh, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills ask leave to report that they have examined the following Senate bills and joint resolutions and find the same correctly enrolled:

S. F. No. 46, A bill for an act creating the thirteenth judicial district, and providing for the election of district and circuit judges, and district attorney, &c.

Also, S. F. No. 145, A bill for an act to legalize the organization of the independent school district of Homer, Iowa.

Also, S. F. No. 147, A bill for an act to empower the board of trustees of the Agricultural College to grant diplomas, &c.

Also, S. F. No. 111, A bill for an act to amend section 2800 of of the Revision of 1860.

Also, S. F. No. 47, A bill for an act requiring that conditional sales of personal property be executed, acknowledged, and recorded like mortgages of personal property to be of any validity as against bona fide purchasers, executions, and attaching creditors.

Also, S. F. No. 227, A bill for an act for the relief of James Jordan and Matilda Carter.

Also, S. F. No. 97, A bill for an act making corporations and persons owning and operating railroads liable for the willful wrongs of agents and employees.

Also the following joint resolution :

In relation to establishing a highway on the Agricultural College Farm.

Also, one appointing trustees for the Iowa Hospital for the Insane at Independence.

Also, one in relation to settlers on swamp lands.

KNUT E. BERGH, *Chairman pro tem.* .

H. F. No. 353, A bill for an act to amend chapter 6 of the acts of the Fourteenth General Assembly, entitled an act to appropriate money to build bridges, with report of committee recommending its passage, was taken up and considered.

Mr. Ballinger moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question " Shall the bill pass ? " the yeas and nays were as follows :

The yeas were—

Messrs. Appleton, Ballinger, Beatty, of Cedar ; Beresheim, Bergh, Blackman, Blakely, Bonewitz, Booth, Butler, Cadwell, Campbell, Christoph, Clark, of Benton ; Close, Crawford, Danforth, Dayton, Dumont, Duncan, Ducombe, Ericson, Gear, Goodspeed, Hall, Hanson, Heberling, Hilton, Hopkirk, Irish, Johnston, Kasson, Keables, Litzenberg, McAllister, McClure, Mills, Newbold, O'Donnell, Paul, Perkins, Rice, Rohlf, Sandry, Secor, Stedman, Stow, Struthers, Teale, Tuttle, Van Saun, Williams, Wilson, of Keokuk ; Wilson, of Washington ; Wright, of Mills ; and Mr. Speaker—Total, 56.

The nays were—

Messrs. Ainsworth, Cardell, Clarke, of Iowa ; Draper, Durham, Ellsworth, Evans, Flenniken, Freeman, Green, Lee, McCoy, Miller, Reed, Reuther, Schweer, Skillin, Stewart, Tasker, Tufts, Van Meter, and Wright, of Van Buren—Total, 22.

Absent or excused—

Messrs. Beatty, of Jasper ; Blake, Bliss, Caldwell, Carver, Davis, Davisson, Day, Hanan, Hewett, Hovey, Leahy, Maxwell,

Merrell, Morrison, Peet, Pratt, Rule, Van Deventer, Whitten, Wood, of Clay; and Wood, of Story—Total, 22.

So the bill passed and the title was agreed to.

H. F. No. 219, A bill for an act to pay John Garaghty for legal services performed for the State, with report of committee recommending its passage, was taken up and considered.

Mr. Duncombe moved that the rule be suspended, and the bill be considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Appleton, Ballinger, Beatty of Cedar; Beatty of Jasper; Beresheim, Bergh, Blackman, Blakely, Bliss, Bonewitz, Booth, Butler, Cadwell, Campbell, Cardell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Davisson, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Irish, Johnston, Kasson, Keables, Leahy, Litzenberg, Maxwell, McAllister, McClure, Merrell, Miller, Mills, Newbold, O'Donnell, Paul, Perkins, Pratt, Reed, Renthner, Rice, Rohlf, Sandry, Schweer, Secor, Skillin, Stedman, Stow, Struthers, Tasker, Teale, Tufts, Tuttle, Van Meter, Van Sann, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story; Wright, of Mills, and Wright, of Van Buren—Total, 84.

The nays were—

Messrs. McCoy, Stewart, and Mr. Speaker—Total, 3.

Absent or excused—

Messrs. Ainsworth, Blake, Caldwell, Flenniken, Hanan, Hovey, Lee, Morrison, Peet, Rule, Van Deventer, Whitten, and Wood, of Clay—Total, 13.

So the bill passed and the title was agreed to.

H. F. No. 122, A bill for an act to amend chapter 1544 of the Revision of 1860, &c., with report of committee recommending amendments, was taken up and considered.

Mr. Reed moved that the publication clause be stricken out.

The motion prevailed.

The committee amendments were not adopted.

Mr. Davis moved to amend as follows:

And that the words "fifty-four" be stricken out of section 1545 of the Revision of 1860, and that the words "forty-eight" be inserted in lieu thereof. Nothing in this act shall apply to fences along any railroad, but all fences along railroads shall be four feet six inches high.

Mr. Reed moved to lay the bill on the table, and demanded the yeas and nays.



On the question to lay on the table, the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Bliss, Christoph, Olose, Danforth, Davisson, Day, Durham, Ellsworth, Ericson, Evans, Green, Hall, Hanson, Hilton, Hopkirk, Johnston, Keables, Lee, Litzenberg, Maxwell, McAllister, McClure, McCoy, Newbold, O'Donnell, Paul, Perkins, Reed, Rohlf, Sandry, Schweer, Skillin, Stewart, Stow, Struthers, Teale, Tufts, Tuttle, Van Meter, Van Saun, Wood, of Story; Wright, of Mills; and Wright, of Van Buren—Total, 45.

The nays were—

Messrs. Ballinger, Beatty, of Cedar; Beatty, of Jasper; Bireheim, Bergh, Blakely, Bonewitz, Booth, Butler, Cadwell, Campbell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Crawford, Davis, Dayton, Draper, Dumont, Duncan, Duncombe, Freeman, Gear, Goodspeed, Heberling, Hewett, Irish, Leahy, Merrell, Miller, Mills, Renther, Rice, Rule, Secor, Stedman, Tasker, Wilson, of Keokuk; Wilson, of Washington; and Mr. Speaker—Total, 41.

Absent or excused—

Messrs. Blackman, Blake, Caldwell, Flenniken, Hanan, Hovey, Kasson, Morrison, Peet, Pratt, Van Deventer, Whitten, Williams, and Wood, of Olay—Total, 14.

So the bill was laid on the table.

Mr. Gear moved to take up the motion by which H. F. No. 281 was lost.

The motion prevailed.

On motion of Mr. Gear, the bill was re-committed to Committee on Ways and Means.

Mr. Pratt was excused from Committee of Conference on Substitute for H. F. No. 12, the railroad tariff bill, and the Speaker appointed Mr. Wilson, of Washington, on said committee.

On motion of Mr. Irish, S. F. No. 241, A bill for an act to legalize the gifts, grants, conveyances, &c., of the swamp lands located by Johnson county indemnity scrip, &c., with report of committee recommending its passage, was taken up and considered.

Mr. Irish offered the following amendment, which was adopted:

After the word "Iowa" in the second line on page 18, add "and all gifts, grants, sales, conveyances by said Johnson county, or by the board of supervisors thereof, or by said Iowa Northern Central Railroad Company, or by Jephtha Cowgill as trustee and agent of said county and company, to D. W. O. Clapp of the real estate following, to-wit: The north-west quarter of section eighteen (18), and the east half of the south west quarter of section thirty (30), in township ninety-eight (98), north of range twenty-nine (29) west, and the north fractional half of section two (2), the north half of the north-east quarter, and the south-west quarter of the north-east quarter of section ten (10), all in township ninety-seven

(97), north of range thirty (30) west, all in Kossuth county, Iowa; and the north half of the north-east quarter of section ten (10), in township ninety-three (93) north of range thirty-three (33) west, and the east half of the south-west quarter of section eight (8), and the north half of the north-west quarter of section twenty (20), all in township ninety-three (93), north of range thirty-two (32) west, all in Pocahontas county; and the east half of the south-east quarter of section six (6), in township ninety-eight (98), north of range thirty-two (32) west, and the south-east quarter and the south-west quarter of section thirty (30), in township ninety-nine (99), north of range thirty-one (31) west, or section twenty-five (25) of the south half of section thirty-four (34), and the north-west quarter of section thirty-five (35), all in township one hundred (100), north of range thirty-three (33) west, all in Emmet county, Iowa.

Mr. Irish moved that the rule be suspended and the bill be considered engrossed and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty of Cedar; Beatty, of Jasper; Bergh, Blackman, Blakely, Bonewitz, Booth, Butler, Cadwell, Campbell, Cardell, Christoph, Clark, of Benton; Clarke, of Iowa; Crawford, Danforth, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Freeman, Goodspeed, Green, Hall, Hanson, Heberling, Hilton, Hopkirk, Irish, Johnston, Keables, Lee, Litzenberg, McAllister, McClure, McCoy, Miller, Mills, Newbold, O'Donnell, Paul, Perkins, Reed, Renner, Rice, Rohlf, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Teale, Tufts, Tuttle, Van Meter, Van Saun, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story; Wright, of Van Buren; and Mr. Speaker—Total, 75.

The nays were—

Messrs. Stewart and Wright, of Mills—Total, 2.

Absent or excused—

Messrs. Beresheim, Blake, Bliss, Caldwell, Carver, Close, Davis, Davisson, Flenniken, Gear, Hanan, Hewett, Hovey, Kasson, Leahy, Maxwell, Merrell, Morrison, Peet, Pratt, Rule, Van Deventer, Whitten, and Wood, of Olney—Total, 23.

So the bill passed and title was agreed to.

By leave, Mr. Carver introduced H. F. No. 438, A bill for an act to permanently locate the reform school, and provide for the reception of girls.

Read a first and second time.

Mr. Carver moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beresheim, Bergh, Blackman, Bliss, Bonewitz, Booth, Butler, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Davis, Davisson, Dayton, Duncan, Durham, Ellsworth, Freeman, Gear, Green, Hall, Heberling, Hewett, Irish, Keables, Lee, Litzenberg, Maxwell, McAllister, McClure, Merrell, Mills, Newbold, O'Donnell, Paul, Perkins, Pratt, Reed, Rohlf, Rule, Sandry, Secor, Stedman, Struthers, Tuttle, Van Sann, Wilson, of Keokuk; Wood, of Story; and Mr. Speaker—Total, 53.

The nays were—

Messrs. Beatty, of Jasper; Blakely, Campbell, Christoph, Close, Crawford, Danforth, Day, Draper, Dumont, Duncan, Ericson, Goodspeed, Hanson, Hilton, Hopkirk, Leahy, McCoy, Miller, Reuther, Rice, Schweer, Skillin, Stewart, Stow, Tasker, Tufts, Van Meter, Wilson, of Washington; and Wright, of Van Buren—Total, 30.

Absent or excused—

Messrs. Blake, Cadwell, Caldwell, Evans, Flenniken, Hanan, Hevey, Johnston, Kasson, Morrison, Peet, Teale, Van Deventer, Whitten, Williams, Wood, of Olay; and Wright, of Mills—Total, 17.

So the bill passed and the title was agreed to.

On motion of Mr. Rohlf, the special order S. F. No. 186, A bill for an act fixing the compensation of members of the General Assembly and of officers and employees thereof, was taken up and considered.

Mr. Tufts moved to amend by striking out "six hundred dollars" and inserting "five hundred dollars."

On the adoption of the amendment, the yeas and nays were demanded, which were as follows:

The yeas were—

Messrs. Ainsworth, Beatty, of Cedar; Beatty, of Jasper; Bergh, Blakely, Bliss, Bonewitz, Butler, Campbell, Cardell, Carver, Christoph, Clarke, of Iowa; Close, Crawford, Danforth, Davis, Davisson, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Goodspeed, Hanson, Heberling, Hopkirk, Johnston, Kasson, Leahy, Lee, McAllister, Merrell, Miller, Mills, Newbold, O'Donnell, Pratt, Reed, Reuther, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Teale, Tufts, Van Sann, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 64.

The nays were—

Messrs. Appleton, Beresheim, Booth, Clark, of Benton; Crawford, Flenniken, Freeman, Gear, Green, Hall, Hewett, Hilton, Irish, Keables, Litzenberg, Maxwell, McClure, McCoy, Paul, Perkins, Rice, Rohlf, Rule, Tuttle, and Van Meter—Total, 25.

Absent or excused—

Messrs. Blackman, Blake, Caldwell, Day, Hanan, Hovey, Morrison, Peet, Van Deventer, Whitten, and Wood, of Clay—Total, 11.

So the amendment prevailed.

Mr. Duncombe moved that the rule be suspended, and the bill put upon its passage.

The motion prevailed.

Mr. Ellsworth moved to reconsider the vote by which the rule was suspended.

The motion prevailed.

The question recurring on the motion to suspend the rule, the motion did not prevail.

Mr. Kasson moved to amend by inserting after the word "of," in the second line, the words "future General Assemblies."

The motion prevailed.

Mr. Ellsworth moved to amend by striking out "for chief-clerk, \$8," and insert "\$7," and for first and second assistant clerks, strike out "\$7" and insert "\$6."

The amendment was adopted.

Mr. Reed moved to strike out "\$3" for mileage, and inserting "\$2."

The amendment prevailed.

Mr. Davis moved to amend as follows:

After the word "travel" add "railroad," and after the word "route" add "in this State."

The amendment did not prevail.

Mr. Goodspeed moved to amend by striking out that portion of the bill relating to compensation of members of the General Assembly.

Mr. Kasson moved to amend the amendment:

Strike out the word "hundred," in third line, section one, and insert after "dollars" "per day."

The motion prevailed.

Mr. Rohlf moved to amend the amendment by striking out "\$5" and inserting "\$6," and demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Ainsworth, Ballinger, Beatty, of Jasper; Booth, Caldwell, Gear, Heberling, O'Donnell, Paul, Reuther, Rohlf, Sandry, Stow, Struthers, Van Saun, and Wood, of Story—Total, 16.

The nays were—

Messrs. Appleton, Beatty, of Cedar; Beresheim, Bergh, Blackman, Blakely, Bliss, Bonewitz, Butler, Campbell, Cardell, Carver,

Christoph, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Davisson, Day, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Freeman, Goodspeed, Green, Hall, Hanson, Hewett, Hilton, Hopkirk, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, McAllister, McClure, McCoy, Merrell, Miller, Mills, Newbold, Perkins, Pratt, Reed, Rice, Rule, Schweer, Secor, Skillin, Stedman, Stewart, Tasker, Teale, Tufts, Van Meter, Williams, Wilson, of Keokuk; Wilson, of Washington; Wright, of Mills; Wright, of Van Buren and Mr. Speaker—Total, 70.

Absent or excused—

Messrs. Blake, Caldwell, Dayton, Flenniken, Hanan, Hovey, Irish, Maxwell, Morrison, Peet, Tuttle, Van Deventer, Whitten, and Wood, of Clay—Total, 14.

So the amendment to the amendment was lost.

Mr. Butler moved to amend the amendment by inserting "not to exceed one hundred days."

The motion did not prevail.

Mr. Duncombe moved to amend the amendment as follows :

After "session," in third line of section one, insert : "Five hundred dollars, and for extra and adjourned sessions, the proportionate amount according to the actual length of the session as shall be paid at the last preceding regular session.

The hour of 12 m. having arrived, the Speaker announced the House adjourned.

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TWO O'CLOCK, P. M.

House called to order by the Speaker.

By leave, Mr. Pratt introduced H. F. No. 439, A bill for an act to regulate the disposal of swamp and overflowed lands, and swamp and indemnity lands, and to protect innocent purchasers thereof.

Read a first and second time, and referred to Committee on Judiciary.

Mr. Blackman introduced H. F. No. 440, A bill for an act to provide where actions may be brought in certain cases.

Read a first and second time, and referred to Committee on Judiciary.

#### UNFINISHED BUSINESS.

The question recurring on the motion to amend the amendment offered by Mr. Duncombe, the amendment to the amendment was not adopted.

The amendment was adopted.

Mr. Leahy moved to amend as follows :

That the compensation of each member of future General Assemblies shall be \$5 for the first eighty days of each regular session.

The amendment was not adopted.

Mr. Stow moved to amend by raising the compensation of the officers and employees one dollar.

Mr. Rohlf moved to amend the amendment so as to raise the compensation only of chief clerk, first and second assistants, and enrolling and engrossing clerks one dollar each per day.

The amendment to the amendment was not adopted.

The amendment was not adopted.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER :—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked:

S. F. No. 270, A bill for an act to amend chapter 101 of the acts of the Fourteenth General Assembly in relation to an additional penitentiary and to provide for the support of the convicts therein.

I am also directed to inform your honorable body that the Senate has passed without amendment, H. F. No. 435, A bill for an act making appropriations for the payment of the salaries of the State and Judicial officers, interest on State bonds and for other State purposes herein named.

Also the following bills with amendment :

H. F. No. 390, A bill for an act providing for the payment of bonds issued under chapter 58 of the laws of the Fourteenth General Assembly, amended by inserting the word "thereafter" before the word "issued."

Also, H. F. No. 296, A bill for an act to promote water power improvements, with amendments as noted in the bill.

I am also directed to inform your honorable body that the Senate has adopted S. F. No. 286, A bill for an act apportioning the State of Iowa into representative districts and declaring the ratio of representation, as a substitute for House bill on same subject.

In all of which amendments the concurrence of the House is respectfully asked.

J. A. T. HULL, *Secretary*.

Mr. Ellsworth offered the following amendments :

Members of the same, five dollars per day for the first eighty days of each session, and three dollars and fifty cents per day for each additional day of such session.

The amendment was not adopted.

The House ordered the bill engrossed and read a third time.

Mr. Rohlf's moved that the rule be suspended and the bill be considered engrossed and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, " Shall the bill pass ? " the yeas and nays were as follows :

The yeas were—

Messrs. Appleton, Beatty, of Jasper ; Beresheim, Bergh, Blackman, Blakely, Bonewitz, Butler, Cadwell, Campbell, Cardell, Carver, Clarke, of Iowa ; Close, Crawford, Danforth, Davisson, Day, Draper, Dumont, Duncan, Durham, Ellsworth, Ericson, Evans, Flenniken, Freeman, Goodspeed, Hanson, Hopkirk, Johnston, Kasson, Keables, Leahy, McAllister, McCoy, Miller, Mills, Newbold, O'Donnell, Reed, Reuther, Rice, Rohlf's, Sandry, Schweer, Skillin, Stedman Stewart, Tasker, Teale, Tufts, Tuttle, Van Meter, Wilson, of Washington ; Wood, of Story ; Wright, of Mills ; Wright, of Van Buren ; and Mr. Speaker—Total, 59.

The nays were—

Messrs. Ainsworth, Ballinger, Bliss, Booth, Christoph, Clark, of Benton ; Dancombe, Gear, Heberling, Hewett, Hilton, Irish, Lee, Litzenberg, Maxwell, McClure, Merrell, Paul, Perkins, Pratt, Rule, Secor, Stow, Struthers, Van Saun, Williams, and Wilson, of Keokuk—Total, 27.

Absent or excused—

Messrs. Beatty, of Cedar ; Caldwell, Blake, Davis, Dayton, Green, Hall, Hanan, Hovey, Morrison, Peet, Van Deventer, Whitten, and Wood, of Clay—Total, 31.

So the bill passed.

Mr. Kasson moved to amend the title that it shall read as follows: For an act fixing the compensation of officers and employees of the General Assembly, and regulating the contingent expenses thereof.

The amendment was adopted.

Leave was granted to Mr. Stedman to call up the resolution in regard to the appointment of trustees for the institution for the education of the blind.

The motion recurring on motion of Mr. Ainsworth to strike out the name of Mr. Kephart.

The motion did not prevail.

The resolution was adopted.

Mr. Beresheim, from the Committee on New Counties, submitted the following report :

MR. SPEAKER:—Your Committee on New Counties, to whom was referred substitute for H. F. No. 59, A bill for an act providing for the establishment of temporary county seats in newly organized counties, and in relation to the location of permanent county seats in such counties, beg leave to report that they have had the same



under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

BERESHEIM, *Chairman.*

On motion of Mr. Irish, special order, S. F. No. 117, A bill for an act to promote the science of medicine, &c., was taken up and considered.

Mr. Irish moved to amend by adding to the 1st section, "*Provided*, That in all cases of bodies to be claimed under this act, the person whose body is so claimed shall have been a resident for six months of the county wherein the death took place."

The amendment was adopted.

Mr. Clark moved to amend: Strike out two lines following the word "penitentiaries," in first line of 7th section.

The amendment was adopted.

Mr. Clark, of Benton, moved to amend: Strike out after the word "provided," and insert "that no."

The amendment was adopted.

Mr. Stow moved that the bill be indefinitely postponed.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following resolution, in which the concurrence of the House is asked:

Concurrent resolution in relation to a joint convention for the purpose of electing all officers to be elected by the Fourteenth General Assembly.

J. A. T. HULL, *Secretary.*

On the motion to indefinitely postpone, the yeas and nays were demanded, which were as follows:

The yeas were—

Messrs. Ainsworth, Blakely, Bliss, Cadwell, Christoph, Crawford, Davis, Day, Dayton, Draper, Duncan, Durham, Goodspeed, Hanson, Hilton, Johnston, Lee, Litzenberg, McClure, McCoy, Reed, Rice, Rule, Sandry, Secor, Skillin, Stewart, Stow, Struthers, and Wright, of Van Buren—Total, 30.

The nays were—

Messrs. Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Bergh, Blackman, Bonewitz, Butler, Campbell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Danforth, Davisson, Dumont, Ellsworth, Ericson, Freeman, Gear, Green, Hall, Heberling, Hopkirk, Irish, Kasson, Keables, Leahy, Maxwell, McAllister, Merrell, Miller, Mills, Newbold, O'Donnell, Paul, Perkins, Renther,] Rohlf, Schweer, Tasker, Teale, Tufts, Tuttle,

Van Meter, Van Saun, Williams, Wilson, of Keokuk; Wilson, of Washington; Wright, of Mills; and Mr. Speaker—Total, 52.

Absent or excused—

Messrs. Beresheim, Blake, Booth, Caldwell, Duncombe, Evans, Flenniken, Hanan, Hewett, Hovey, Morrison, Peet, Pratt, Stedman, Van Deventer, Whitten, Wood, of Clay; and Wood, of Story—Total, 18.

So the motion to indefinitely postpone did not prevail.

The question recurring on the engrossment of the bill, Mr. O'Donnell moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Appleton, Ballinger, Beatty, of Cedar; Beresheim, Bergh, Blackman, Bonewitz, Booth, Butler, Campbell, Cardell, Carver, Clark, of Benton; Close, Danforth, Davisson, Ellsworth, Erieson, Evans, Freeman, Gear, Green, Hall, Heberling, Hopkirk, Irish, Kasson, Keables, Leahy, Litzenberg, McAllister, Mills, Newbold, O'Donnell, Paul, Perkins, Reuther, Rohlf, Schweer, Stedman, Tasker, Teale, Tufts, Tuttle, Van Meter, Van Saun, Williams, Wilson, of Keokuk; Wood, of Story; Wright, of Mills; and Mr. Speaker—Total, 51.

The nays were—

Messrs. Ainsworth, Beatty, of Jasper; Blakely, Bliss, Cadwell, Christoph, Crawford, Davis, Dayton, Draper, Dumont, Duncan, Durham, Goodspeed, Hanson, Hilton, Johnston, Lee, Maxwell, McClure, McCoy, Merrell, Reed, Rice, Rule, Sandry, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Wilson, of Washington; and Wright, of Van Buren—Total, 34.

Absent or excused—

Messrs. Blake, Caldwell, Clarke, of Iowa; Day, Duncombe, Flenniken, Hanan, Hewett, Hovey, Miller, Morrison, Peet, Pratt, Van Deventer, Whitten, and Wood, of Clay—Total, 15.

So the bill passed and the title was agreed to.

By leave, Mr. O'Donnell submitted the following report from second Committee of Conference on the disagreeing vote on H. F. No. 12:

The second Committee of Conference on the disagreeing vote of the two Houses upon the Senate amendments to substitute for H. F. No. 12, having met and after full and free conference have agreed to report and do report to their respective houses as follows:

That in place of the Senate amendments the following be adopted as a substitute, viz:

Sec. On the taking effect of this act the Governor shall appoint

three commissioners, whose successors shall be elected at the general election in 1872, and every two years thereafter, whose duty it shall be to see that this law is faithfully executed; and it shall be their further duty to see that each road affected by the provisions of this bill shall first operate under the rates herein prescribed, a sufficient length of time that the same may be fairly tried; after which time the commissioners shall hear all complaints made by the people or an officer or officers of any railroad company, as to the necessity for changing or varying any of said rates, and, if after a full hearing of the case they shall be convinced that the specific rates of which complaint is made are unjust or unfair to the railroad company or the people, they may change the same to what shall be fair and just in such particular case, *provided*, they shall in no case change any rates or charges so that the same shall be greater than the rates herein prescribed.

Sec. 18. Any such change made by such commissioners shall be as valid and legal as if the same had been established by law; and they shall have full power and authority, and it is hereby made their duty to examine into the management, operation, and affairs of all railroad companies in this State, or any partly within and partly without this State, and they shall have the use of all legal means and process necessary for that purpose. The result of which examination shall be included in the report hereinafter provided for.

Sec. 19. Said Commissioners shall each receive for his services the sum of twelve hundred dollars a year, payable quarterly, and in addition thereto the sum of five cents, as mileage, for every mile actually traveled. Before entering upon the discharge of their duties each of said Commissioners shall take the usual oath of office, and they shall hold their offices until their successors are elected and qualified, unless removed by the Governor for incompetency, or corruption in office. Their sessions may be held at such places as they may deem proper, taking into consideration the convenience of all parties concerned. Before they hold any meeting as above provided, they shall give at least ten days notice by publication in three newspapers, one at the capital, and the other two at such places as they may select, changing the same according to the locality interested, which notice shall state the time and place at which such meeting shall be held.

Sec. 20. The violation of any regulation or order of said commission, made in pursuance of the provisions of this act, shall be visited by the punishment and penalties prescribed in section 11 of this act.

Sec. 21. Said commissioners shall make to the General Assembly a full report of all their acts and doings in pursuance of this act, which report shall be printed and published at least three months previous to each regular meeting of the General Assembly; and each change, modification, or revision, made in pursuance of

the provisions of this act, shall be printed, signed by the chairman of said commission, and conspicuously posted up by the railroad company at each depot and station along the line of its road or roads affected thereby.

Sec. 22. Any of said commissioners, appointed or elected under the provisions of this act, who shall be guilty of being bribed in any matter pertaining to his duties herein prescribed, shall be punished on conviction by imprisonment in the penitentiary not exceeding ten years.

JACOB G. VALE,  
E. S. McCULLOCH,  
J. P. KETCHAM,

*Managers upon the part of the Senate.*

FRED. O'DONNELL,  
CHAS. H. WILSON,

*Managers upon the part of the House.*

The hour of adjournment having arrived, the Speaker announced the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, April 18, 1872. }

The House convened pursuant to adjournment.

The Speaker in the chair.

Prayer by Rev. Mr. Frisbie.

Journal of yesterday read and approved.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has disagreed to the report of the second Committee of Conference on the disagreeing votes of the two Houses on the amendments to Substitute for H. F. No. 12, A bill for an act to prescribe rules and regulations for railroads, and to establish uniform and reasonable maximum rates of tariff for transportation of certain freights thereon; and has appointed Senators Campbell, Willett and Leavitt as a third Committee of Conference, and request the appointment of a similar Committee on the part of the House.

J. A. T. HULL, *Secretary.*

## RESOLUTIONS.

By leave, Mr. Rohlf offered the following resolution :

*Resolved by the House of Representatives*, That the following compensation shall be paid to officers and employees by the Secretary of the State, for the time of the session of the Fourteenth General Assembly:

To Edwin Entwistle, engineer, five dollars per day.

To Chas. R. Stinson, and C. A. Rydon, janitors, each three dollars per day.

Mr. Leahy moved to strike out \$3 for janitors and insert \$6.

The motion did not prevail.

The resolution was adopted.

By leave, Mr. Butler introduced H. F. No. 441, A bill for an act to provide for the inspection of stock and grain scales.

Read a first and second time.

Mr. Tufts moved that the bill be referred to Committee on Agriculture, and made a special order for to-morrow at 9 o'clock A. M.

The motion prevailed.

On motion of Mr. Duncan, H. N. No. 331, A bill for an act to repeal section 46, chapter 109, of the acts of the Thirteenth General Assembly, &c., was taken up.

The bill was read a third time.

On the question, " Shall the bill pass ? " the yeas and nays were as follows :

The yeas were—

Messrs. Beatty, of Cedar; Beatty, of Jasper; Bergh, Blakely, Bonewitz, Booth, Cadwell, Clark, of Benton; Close, Crawford, Danforth, Davis, Dumont, Duncan, Durham, Ellsworth, Evans, Gear, Goodspeed, Hall, Hanson, Heberling, Hewett, Keables, Leahy, Lee, Litzenberg, Miller, Newbold, Rice, Sandry, Stow, Van Meter, Williams, Wilson, of Washington; Wright, of Van Buren and Mr. Speaker—Total, 37.

The nays were—

Messrs. Ainsworth, Ballinger, Beresheim, Blackman, Bliss, Butler, Campbell, Cardell, Christoph, Clarke, of Iowa; Davisson, Day, Draper, Duncombe, Ericson, Freeman, Green, Hilton, Hopkirk, Irish, Johnston, Maxwell, McAllister, McCoy, Merrell, O'Donnell, Paul, Perkins, Reed, Reuther, Rohlf, Rule, Schweer, Secor, Skillin, Stewart, Struthers, Tasker, Teale, Tufts, Van Saun, Wilson, of Keokuk; Wood, of Story; and Wright, of Mills—Total, 44.

Absent or excused—

Messrs. Appleton, Blake, Caldwell, Carver, Dayton, Flenniken, Hanan, Hovey, Kasson, McClure, Mills, Morrison Peet, Pratt, Stedman, Tuttle, Van Deventer, Whitten, and Wood, of Clay—Total, 19.

So the bill not receiving a constitutional number of votes was declared lost.

Mr. Tufts moved to reconsider the vote by which H. F. No. 331 was lost, and moved that the consideration of the same be postponed until to-morrow.

The motion to postpone prevailed.

On motion of Mr. Appleton, H. F. No. 59, A bill for an act providing for the establishment of county seats, &c., with report of committee recommending its passage, was taken up and considered.

Mr. Appleton moved that the rule be suspended and the bill be considered engrossed and read a third time low, which prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blakely, Bliss, Booth, Cadwell, Cardell, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Dayton, Dumont, Duncan, Duncombe, Ellsworth, Ericson, Freeman, Gear, Goodspeed, Hall, Heberling, Hopkirk, Irish, Johnston, Keables, Leahy, Lee, Litzenberg, Maxwell, McClure, McCoy, Merrell, Miller, Newbold, Paul, Perkins, Rice, Rule, Sandry, Schweer, Secor, Stedman, Stewart, Struthers, Tasker, Teale, Tufts, Tuttle, Van Saun, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story and Wright, of Mills—Total, 61.

The nays were—

Messrs. Butler, Campbell, Day, Hanson, Hilton, McAllister, Reed, Skillin, Van Meter, and Wright, of Van Buren—Total, 10.

Absent or excused—

Messrs. Ainsworth, Blackman, Blake, Bonewitz, Caldwell, Carver, Davis, Davisson, Draper, Durham, Evans, Flenniken, Green, Hanan, Hewett, Hovey, Kasson, Mills, Morrison, O'Donnell, Peet, Pratt, Reuther, Rohlf, Stow, Van Deventer, Whitten, Wood, of Clay and Mr. Speaker—Total, 27.

So the bill passed and the title was agreed to.

#### REPORT OF COMMITTEE.

Mr. Bergh from Committee on Enrolled Bills submitted the following report:

MR. SPEAKER :—Your Committee on Enrolled Bills ask leave to report that they have examined the following bills and joint resolution and find the same correctly enrolled:

A joint resolution appointing trustees for the Iowa College for the Blind.

Also, H. F. No. 305, A bill for an act to amend chapter 148 of the acts of the Ninth General Assembly.

Also, H. F. No. 175, A bill for an act providing for the organization of independent school districts.

Also, H. F. No. 291, A bill for an act to repeal a part of section one of chapter 23, of the acts of the Ninth General Assembly.

Also, H. F. No. 129, A bill for an act to amend section 3, chapter 158, of the laws of the Thirteenth General Assembly in relation to the reading of wills.

Also, H. F. No. 73, A bill for an act to amend section 2, chapter 173 of the laws of the Ninth General Assembly.

Also, H. F. No. 158, A bill for an act to amend section 2, chapter 177, of the acts of the Thirteenth General Assembly.

Also, H. F. No. 100, A bill for an act to legalize the sale of school lands in Lucas county.

Also, H. F. No. 366, A bill for an act to authorize clerks of district and circuit courts to satisfy mortgages in certain cases.

Also, H. F. No. 312, A bill for an act to allow appeals to the Supreme Court from Hardin and Franklin counties to Des Moines instead of Dubuque.

Also, H. F. No. 427, A bill for an act making appropriations for the payment of the mileage of the members of the Fourteenth General Assembly.

Also, S. F. No. 268, A bill for an act authorizing the board of supervisors of Polk county, Iowa, to extend the time for the completion of the Des Moines & Minnesota Railroad.

KNUT E. BERGH, *Chairman, pro tem.*

Mr. Bergh, from Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER :—The Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bills, viz:

S. F. No. 97, An act making corporations liable for the willful wrongs of their agents.

Also, joint resolution in relation to establishing a highway on Agricultural College Farm.

Also, joint resolution appointing trustees for the Insane Hospital at Independence.

Also, joint resolution in relation to settlers on swamp lands or lands claimed as such.

Also, S. F. No. 46, An act creating the Thirteenth Judicial District.

Also, S. F. No. 227, An act for the relief of James Jordan and Matilda Carter.

Also, S. F. No. 111, An act to amend section 2800 of the Revision of 1860.

Also, S. F. No. 145, An act to legalize the organization of the independent school district of Homer.

Also, S. F. No. 147, An act to empower the Board of Trustees of the Agricultural College to grant diplomas to students therein.



Also, S. F. No. 47, An act requiring conditional sales of personal property to be recorded.

KNUT E. BERGH, *Chairman, pro tem.*

Mr. Pratt, from Committee on Judiciary, submitted the following report:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 434, A bill for an act to amend chapter 62 of the Revision of 1860, in relation to trespassing animals, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

H. O. PRATT, *Chairman.*

On motion of Mr. Hall, H. F. No. 390, A bill for an act providing for the payment of bonds issued under chapter 58, of the laws of the Fourteenth General Assembly, was taken up and considered.

The question recurring on concurring the in Senate amendments, the yeas and nays were as follows:

The yeas were—

Messrs. Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blakely, Bliss, Booth, Butler, Cadwell, Campbell, Cardell, Carver, Christoph, Clarke of Iowa; Close, Crawford, Danforth, Davisson, Day, Dayton, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Freeman, Gear, Goodspeed, Green Hall, Hanson, Heberling, Hilton, Hopkirk, Irish, Johnston, Keables, Leahy, Lee, Litzenberg, McAllister, McClure, McCoy, Merrell, Miller, Newbold, Paul, Perkins, Reed, Reuther, Rohlfis, Rule, Sandry, Schweer, Secor, Skillin, Stewart, Stow, Struthers, Tasker, Tufts, Tuttle, Van Meter, Van Saun, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story; Wright, of Mills; and Wright, of Van Buren—Total, 73.

The nays were none.

Absent or excused—

Messrs. Ainsworth, Blackman, Blake, Bonewitz, Caldwell, Clark, of Benton; Davis, Draper, Dumont, Flenniken, Hanan, Hewett, Hovey, Kasson, Maxwell, Mills, Morrison, O'Donnell, Peet, Pratt, Rice, Stedman, Teale, Van Deventer, Whitten, Wood, of Clay and Mr. Speaker—Total, 27.

So the Senate amendment was concurred in.

Mr. Newbold called up the Senate resolution in regard to a joint session of the two houses which was concurred.

On motion of Mr. Gear H. F. No. 17, a bill for an act to amend chapter 8, laws of the Thirteenth General Assembly, &c., was taken up and considered

On the question of concurring in the Senate amendment, the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Bergh, Blakely, Bliss, Bonewitz, Booth, Butler, Campbell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Day, Dayton, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hilton, Hopkirk, Irish, Johnston, Keables, Leahy, Lee, McAllister, McClure, McCoy, Merrell, Miller, Newbold, O'Donnell, Paul, Perkins, Reed, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stow, Struthers, Tasker, Tufts, Tuttle, Van Meter, Van Saun, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story; Wright, of Mills; and Wright, of Van Buren—Total, 73.

The nays were---

Messrs. Beresheim, Davisson and Stewart---Total, 3.

Absent or excused---

—Messrs. Blackman, Blake, Cadwell, Caldwell, Cardell, Danforth, Davis, Draper, Flenniken, Hanan, Hewett, Hovey, Kasson, Litzenberg, Maxwell, Mills, Morrison, Peet, Pratt, Teale, Van Deventer, Whitten, Wood, of Clay; and Mr. Speaker---Total, 24.

So the Senate amendment to H. F. No. 17 was concurred in.

On motion of Mr Newbold, S. F. No. 28, A bill for an act to prevent frequent changes in school books, was taken up and considered.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Appleton, Ballinger, Beatty, of Cedar; Beresheim, Bergh, Blakely, Bliss, Bonewitz, Butler, Cadwell, Campbell, Cardell, Carver, Christoph, Clark, of Benton; Close, Davis, Davisson, Draper, Dumont, Duncan, Durham, Ericson, Freeman, Gear, Goodspeed, Green, Hanson, Heberling, Hewett, Hilton, Hopkirk, Irish, Johnston, Keables, Leahy, Litzenberg, McAllister, McClure, McCoy, Merrell, Miller, Newbold, O'Donnell, Paul, Perkins, Reed, Rice, Rohlf, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Struthers, Tasker, Teale, Tufts, Tuttle, Van Meter, Van Saun, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story; Wright, of Van Buren; and Mr. Speaker—Total, 69.

The nays were---

Messrs. Ainsworth, Crawford, Danforth, Day, Duncombe, Evans, Lee, Reuther, Stow and Wright, of Mills---Total, 10.

Absent or excused---

Messrs. Beatty, of Jasper; Blackman, Blake, Booth, Caldwell, Clarke, of Iowa; Dayton, Ellsworth, Flenniken, Hall, Hanan,

Hovey, Kasson, Maxwell, Mills, Morrison, Peet, Pratt, Rule, Van Deventer, Whitten, and Wood, of Clay—Total, 21.

So the bill passed, and the title was agreed to.

MESSAGES ON THE SPEAKER'S TABLE.

S. F. No. 270, A bill for an act to amend chapter 101 of the laws of the Fourteenth General Assembly, &c., was read a first and second time, and referred to Committee on Ways and Means.

H. F. No. 296, A bill for an act to promote water power improvements.

On the question of concurring in the Senate amendments, the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blakely, Bliss, Booth, Cadwell, Campbell, Cardell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Davisson, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Irish, Johnston, Keables, Leahy, Lee, Litzenberg, McAllister, McClure, McCoy, Merrell, Miller, Newbold, O'Donnell, Paul, Perkins, Reed, Reuther, Rice, Rohlf, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Tufts, Tuttle, Van Meter, Van Sann, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 78.

The nays were none.

Absent or excused—

Messrs. Blake, Bonewitz, Butler, Caldwell, Day, Dayton, Draper, Flenniken, Freeman, Hanan, Hovey, Kasson, Maxwell, Mills, Morrison, Peet, Pratt, Rule, Teale, Van Deventer, Whitten, and Wood, of Clay—Total, 22.

So the Senate amendment to H. F. No. 296 was concurred in.

S. F. No. 235, A bill for an act to provide for the disposal of property held by the State, &c., was read a first and second time, and referred to Committee on Judiciary.

S. F. No. 52, A bill for an act to amend chapter 175 of the laws of the Thirteenth General Assembly, &c., was read a first and second time, and referred to Judiciary Committee.

H. F. No. 357, A bill providing for return of poll books to the county auditor was taken up.

On the question of concurring in the Senate amendments, the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blakely, Bliss, Booth, Cadwell, Cardell, Carver, Christoph, Clark, of Benton;

Clarke, of Iowa; Close, Crawford, Danforth, Davis, Davisson, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Irish, Johnston, Keables, Lee, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Miller, Newbold, O'Donnell, Paul, Perkins, Reed, Reuther, Rice, Rohlf, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Tufts, Tuttle, Van Meter, Van Sann, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story; Wright, of Mills; Wright, of Van Buren, and Mr. Speaker—Total, 81.

The nays were none.

Absent or excused—

Messrs. Blake, Bonewitz, Butler, Caldwell, Campbell, Flenniken, Hanan, Hovey, Kasson, Leahy, Mills, Morrison, Peet, Pratt, Rule, Teale, Van Deventer, Whitten, and Wood, of Clay—Total, 19.

So the House concurred in Senate amendment to H. F. No. 357.

The Senate resolution in relation to the Secretary of State furnishing Board of Immigration with paper, was taken up by the House.

Mr. Tufts moved that the money paid for such paper be paid out of the Immigration fund.

The motion prevailed.

Mr. Ainsworth moved to reconsider the vote by which the House passed the motion made by Mr. Tufts.

The motion did not prevail.

The resolution as amended was adopted.

The joint resolution requesting the Secretary of State to forward documents, &c., to members of the General Assembly, was concurred in.

#### REPORTS OF COMMITTEES.

Mr. Hall, from Committee on Judiciary, submitted the following report:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 370, A bill for an act to prevent gambling on railroads in this State, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended as follows:

1st. For section 1 substitute the attached section 1.

2d. For section 4 substitute section 4 attached.

HALL, *for the Committee.*

On motion of Mr. Irish, S. F. No. 263, A bill for an act to remove the disabilities of Mordecai Cropper, &c., was taken up and considered.

Mr. Irish moved that the rule be suspended and the bill be considered engrossed and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Jasper; Beresheim, Bergh, Blackman, Blakely, Bliss, Booth, Butler, Cardell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hilton, Hopkirk, Irish, Johnston, Keables, Leahy, Lee, Litzenberg, McAllister, McClure, McCoy, Merrell, Miller, Newbold, O'Donnell, Paul, Perkins, Reed, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Teale, Tufts, Tuttle, Van Meter, Van Sann, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story; Wright, of Mills; Wright, of Van Buren and Mr. Speaker—Total, 81.

The nays were none.

Absent or excused—

Messrs. Ballinger, Beatty, of Cedar; Blake, Bonewitz, Caldwell, Campbell, Davisson, Flenniken, Hanan, Hewett, Hovey, Kasson, Maxwell, Mills, Morrison, Peet, Pratt, Van Deventer, and Wood, of Clay—Total, 19.

So the bill passed and the title was agreed to.

On motion of Mr. Ericson, H. F. No. 181, A bill for an act for the relief of occupying claimants, &c., with report of committee recommending its passage, was taken up and considered.

Mr. Ericson moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blakely, Bliss, Booth, Butler, Cadwell, Cardell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Crawford, Danforth, Davis, Davisson, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Irish, Leahy, Lee, Litzenberg, McAllister, McClure, McCoy, Merrell, Miller, O'Donnell, Paul, Perkins, Reed, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Teale, Tufts, Tuttle, Van Meter, Van Sann, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 81.

The nays were—Mr. Close—Total, 1.

Absent or excused—

Messrs. Blake, Bonewitz, Caldwell, Campbell, Flenniken, Hanan, Hovey, Johnston, Kasson, Keables, Maxwell, Mills, Morrison, Newbold, Peet, Pratt, Van Deventer, and Wood, of Clay—Total, 18.

So the bill passed and the title was agreed to.

On motion of Mr. Stedman, H. F. No. 352, A bill for an act to enable counties to furnish justices of the peace with a copy of Wood's Hand Book, &c., was taken up and considered.

Mr. Ainsworth moved to amend, by way of rider, as follows:

*“Provided, That in every county where the boards of supervisors have furnished to the justices in their counties Conklin's Treatise, Wood's Hand Book shall not be furnished.”*

The amendment was read a first and second time, and adopted.

The bill was read a third time.

On the question “Shall the bill pass?” the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Jasper; Beresheim, Blackman, Blakely, Bliss, Booth, Butler, Cadwell, Cardell, Christoph, Clark, of Benton; Close, Crawford, Danforth, Davis, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hilton, Irish, Keables, Lee, Litzenberg, McAlister, McClure, McCoy, Merrell, Miller, Newbold, Paul, Perkins, Reed, Reuther, Rice, Rohlf, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Tufts, Van Saun, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story; Wright, of Mills; and Mr. Speaker—Total, 68.

The nays were---

Messrs. Beatty, of Cedar; Clarke, of Iowa; Evans, Freeman, Hopkirk, Leahy, Van Meter, and Wright, of Van Buren—Total, 8.

Absent or excused—

Messrs. Bergh, Blake, Bonewitz, Caldwell, Campbell, Carver, Davisson, Flenniken, Hanan, Hovey, Johnston, Kasson, Maxwell, Mills, Morrison, O'Donnell, Peet, Pratt, Rule, Teale, Tuttle, Van Deventer, Whitten, and Wood, of Clay—Total, 24.

So the bill passed and the title was agreed to.

Leave of absence was granted to Messrs. Campbell, Bonewitz, and Mills.

By leave, Mr. Ellsworth offered the following resolution:

*Resolved, That the resolution fixing the compensation of the officers and employees of the House, passed April 16, 1872, be so amended as to strike out “ten dollars,” as it applies to the chief clerk, and insert “eight dollars” in lieu thereof.*



Mr. Whitten moved to lay the resolution on the table, and demanded the yeas and nays, which were as follows :

The yeas were—

Messrs. Beresheim, Bliss, Booth, Butler, Clark, of Benton; Davis, Duncombe, Durham, Freeman, Gear, Green, Hall, Heberling, Hewett, Irish, Keables, Litzenberg, McAllister, McClure, McCoy, Merrell, Perkins, Rohls, Rule, Secor, Stedman, Struthers, Tuttle, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; and Mr. Speaker—Total, 38.

The nays were—

Messrs. Ainsworth, Appleton, Beatty, of Cedar; Beatty, of Jasper; Bergh, Blakely, Cadwell, Cardell, Clarke, of Iowa; Close, Crawford, Danforth, Davisson, Day, Draper, Dumont, Duncan, Ellsworth, Ericson, Evans, Goodspeed, Hanson, Hilton, Hopkirk, Leahy, Lee, Miller, Newbold, O'Donnell, Paul, Reed, Renther, Rice, Sandry, Schweer, Skillin, Stewart, Tasker, Teale, Tufts, Van Meter, Van Sann, Wood, of Story; Wright, of Mills; and Wright, of Van Buren—Total, 45.

Absent or excused—

Messrs. Ballinger, Blackman, Blake, Bonewitz, Caldwell, Campbell, Carver, Christoph, Dayton, Flenuiken, Hanan, Hovey, Johnston, Kasson, Maxwell, Mills, Morrison, Peet, Pratt, Stow, Van Deventer, and Wood, of Clay—Total, 22.

So the motion to lay on the table was lost.

Mr. Evans moved to amend as follows:

Assistant Clerks each \$7 00, engrossing and enrolling clerks \$5 00, seargeant-at-arms, door keeper and janitors, each \$5.00, paper folders each \$3 00, messengers each \$2 00.

Mr. Hopkirk moved to amend the amendment as follows: Engrossing and enrolling clerks each \$6 00.

The hour of 12 M having arrived, the Speaker declared the House adjourned.

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TWO O'CLOCK, P. M.

The Speaker called the House to order.

The amendment to the amendment offered by Mr. Hopkirk was adopted.

On the amendment offered by Mr. Evans the yeas and nays were demanded, which were as follows:

The yeas were —

Messrs. Beatty, of Jasper; Blakely, Campbell, Clarke, of Iowa; Close, Crawford, Danforth, Davis, Day, Draper, Duncan, Durham,



Ericson, Evans, Goodspeed, Hanson, Hilton, Hopkirk, Keables, Leahy, Lee, McCoy, Reed, Reuther, Rice, Sandry, Schweer, Stewart, Tasker, Teale, Tufts, Van Meter, Van Saun, Wilson, of Washington; Wright, of Mills; and Wright, of Van Buren—Total, 36.

The nays were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beresheim, Bergh, Blackman, Bliss, Booth, Butler, Cadwell, Clark, of Benton; Davisson, Dayton, Duncombe, Ellsworth, Freeman, Gear, Green, Hall, Hewett, Irish, Litzenberg, Maxwell, McAllister, McClure, Newbold, O'Donnell, Paul, Perkins, Rule, Skillin, Stow, Struthers, Williams, Wilson, of Keokuk; and Mr. Speaker—Total, 37.

Absent or excused—

Messrs. Blake, Bonewitz, Caldwell, Cardell, Carver, Christoph, Dumont, Flenniken, Hanan, Heberling, Hovey, Johnston, Kasson, Merrell, Miller, Mills, Morrison, Peet, Pratt, Rohlf, Secor, Stedman, Tuttle, Van Deventer, Whitten, Wood, of Clay; and Wood, of Story—Total, 27.

So the amendment was lost.

Mr. Irish offered a substitute for the resolution as follows:

*Resolved*, That in addition to the compensation of \$3 per day already allowed to Chas. Stevenson and C. A. Ryden, outside janitors, they be hereby allowed the sum of \$1 per day, making their total compensation \$4 per day; and that the sergeant-at-arms of this House receive as his total compensation \$6 per day.

Mr. Butler moved to lay the whole matter on the table.

The motion prevailed.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following bills, in which the concurrence of the House is asked:

Substitute for S. F. No. 77, A bill for an act to repeal section 3275 of the Revision of 1860, and chapter 43 of the acts of the Thirteenth General Assembly, amending said section, and for the enactment of a new section in lieu thereof.

Also, S. F. No. 275, A bill for an act to amend chapter 59, laws of the Twelfth General Assembly, and to enact a substitute therefor.

Also, S. F. No. 274, A bill for an act to amend chapter 70 of the laws of the Fourteenth General Assembly.

Also, that the Senate has amended House amendments to substitute for S. F. No. 84, A bill for an act to amend an act entitled an act to protect game, by inserting the words "kill and shoot" in

the proviso relating to quails, in which amendment the concurrence of the House is asked.

I am also directed to inform your honorable body that the Senate has passed the following bills without amendment:

H. F. No. 163, A bill for an act to protect the insane.

Also, H. F. No. 859, A bill for an act authorizing cities, incorporated towns, and villages to construct water works.

Also, H. F. No. 438, A bill for an act to permanently locate the Iowa Reform School, and to provide for the reception of girls.

J. A. T. HULL, *Secretary*.

Mr. Bergh, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER:—The Committee on Enrolled Bills ask leave to report that they have examined the following bills, and find the same correctly enrolled :

H. F. No. 390, A bill for an act providing for the payment of bonds issued under chapter 58 of the laws of the Fourteenth General Assembly.

Also, H. F. No. 435, A bill for an act making appropriations for the salaries of the State officers, and for other State expenses.

KNUT E. BERGH, *Chairman pro tem*.

On motion of Mr. Heberling, H. F. No. 395, A bill for an act for the relief of the asylum for destitute and orphan children, at Andrew, Iowa, with report of committee recommending its passage, was taken up and considered.

Mr. Gear moved to amend as follows :

“*Provided*, That five hundred dollars of the amount so loaned by the State shall be paid back to the State University, and a failure on the part of the asylum to pay the five hundred dollars, that the loan of five thousand dollars shall become due, and the State shall have the right to foreclose the mortgage at the end of any year in which the asylum shall fail to make the annual payment.”

Mr. Irish moved that a committee of two be appointed to wait on the Senate and inform them that the House was ready to go into joint convention for the election of officers of the State Institutions.

The motion prevailed, and the Speaker announced as such committee Messrs. Irish and Butler.

On motion of Mr. Newbold the House took a recess of three minutes.

House called to order by the Speaker.

Mr. Campbell moved that a third committee of conference be appointed on the disagreeing vote on H. F. No. 12.

The motion prevailed.

The committee appointed to wait on the Senate and inform them that the House was ready to go into joint convention, reported that they had performed that duty, and were discharged.

The amendment offered by Mr. Gear was not adopted.

Mr. Heberling offered the following amendment :

*" Provided, however, If said asylum shall be converted to any other purpose, the whole amount of the loan shall become due and payable."*

The Door-keeper announced the honorable Senate, who entered the House and took Seats assigned them.

The President of the Convention announced the object of the convention.

Mr. Irish moved that the convention proceed to the election of Regents of the State University.

The motion prevailed.

Mr. Leahy moved to proceed to the election of Regents of the State University one at a time.

The motion prevailed.

The President announced as tellers, Samuel Fairall, on the part of the Senate, and John Beresheim, on the part of the House.

Mr. Ainsworth moved to reconsider the vote by which the convention determined to elect one of the Regents at a time.

The motion prevailed.

The motion to elect one at a time did not prevail.

Mr. Bergh nominated Austin Adams, of Dubuque.

Mr. Burke nominated A. J. Reeve, of Franklin county.

Mr. Campbell nominated P. M. Cassady, of Polk county.

Mr. Keables nominated A. R. Campbell, of Jasper county.

Mr. Campbell nominated John F. Duncombe, of Webster county.

On a call of the roll the whole number of votes cast was one hundred.

Necessary to a choice, fifty one.

Of which Austin Adams, A. J. Reeve, P. M. Cassady, A. R. Campbell, and John F. Duncombe, each received one hundred votes, as follows :

The yeas were—

Messrs. Ainsworth, Ballinger, Beardsly, Beatty, of Jasper ; Beresheim, Bergh, Blackman, Blakely, Bliss, Boomer, Booth, Burke, Cadwell, Campbell, of Jasper ; Campbell, of Jefferson ; Cardell, Carver, Clark, of Benton ; Clarke, of Iowa ; Claussen, Close, Converse, Crawford, Danforth, Dashiell, Davis, Day, Davton, Draper, Dumont, Duncan, Durham, Ellsworth, Ericson, Evans, Fairall, Freeman, Gault, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hopkirk, Howland, Ireland, Irish, Keables, Kephart, Ketcham, Kinne, Leahy, Leavitt, Litzenberg, Lowry, Maxwell, of Story ; McAllister, McOlure, McCoid, McCormack, McCoy, McKean, McNutt, Merrell, of Clinton ; Merrill, of Wapello ; Miles, Miller, Murray, Newbold, Paul, Reed, of Jackson ; Ren-

ther, Rice, Richards, Rule, Schweer, Secor, Skillin, Stewart, of Lee; Stone, Stow, Tasker, Taylor, Tufts, Tuttle, Vale, Van Saun, West, Willett, Williams, Wilson, of Keokuk; Wilson, of Tama; Wilson, of Washington; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Young—Total, 100.

The President announced Austin Adams, A. J. Reeve, P. M. Cassady, A. R. Campbell, and John F. Duncombe duly elected Regents of the State University.

Senator Maxwell moved that the Convention now proceed to elect Trustees for the Agricultural College and Farm.

The motion prevailed.

Senator Hurly nominated O. H. P. Buchanan of Henry county.

Mr. Campbell nominated John A. Pearson of Appanoose county.

Mr. Butler nominated W. W. Morseman of Page county.

Senator Leavitt nominated C. Close of Blackhawk county.

Senator Lowry nominated Chas. E. Leffingwell of Clinton county.

Senator Willet nominated H. D. Noble of Howard county.

Mr. Campbell nominated H. J. Heaton of Fremont county.

On a call of the roll, the President announced the whole number of votes cast 98, necessary to a choice 45, of which O. H. P. Buchanan, John A. Pearson, W. W. Morseman, Cicero Close, Chas. E. Leffingwell, H. B. Noble, and H. J. Heaton, each received ninety-eight votes, as follows:

Messrs. Ainsworth, Ballinger, Beardsley, Beatty, of Jasper; Beresheim, Bergh, Blakely, Bliss, Booth, Burke, Cadwell, Campbell, of Jasper; Campbell, of Jefferson; Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Claussen, Crawford, Danforth, Dashiell, Davis, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Fairall, Freeman, Gault, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hopkirk, Hurley, Ireland, Irish, Keables, Kephart, Ketcham, Leahy, Leavitt, Lee, Litzenberg, Lowry, Maxwell, of Story; McAllister, McClure, McCoid, McCormack, McCoy, McKean, Merrill, of Wapello; Newbold, Paul, Reed, of Jackson; Renther, Rice, Richards, Rule, Schweer, Secor, Skillin, Stone, Stow, Tasker, Taylor, Tufts, Tuttle, Vale, Van Saun, West, Willett, Williams, Wilson, of Keokuk; Wilson, of Tama; Wilson, of Washington; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Young—Total, 98.

So the President announced O. H. P. Buchanan, John A. Pearson, W. W. Morseman, Cicero Close, Charles E. Leffingwell, H. R. Noble, and H. J. Heaton, duly elected Trustees of the Agricultural College and Farm.

Mr. Gear moved that the Convention proceed to the election of Commissioners for the new penitentiary.

Mr. Gear nominated Martin Heisy, of Lee county.

Mr. Gear nominated Wm. Ure, of Linn county.

Mr. Campbell nominated John L. Downing, of Mahaska county.

On a call of the roll, the President announced the whole number of votes cast, 88 ; necessary to a choice, 45.

Of which Martin Heisy, William Ure, and John L. Downing each received 88 votes, as follows:

Messrs. Ainsworth, Ballinger, Beatty, of Jasper; Beresheim, Bergh, Blackman, Blakely, Bliss, Booth, Burke, Cadwell, Campbell, of Jasper; Campbell, of Jefferson; Cardell, Carver, Clarke, of Iowa; Claussen Close, Crary, Crawford, Danforth, Dashiell, Davis, Day, Dayton, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Fairall, Freeman, Gault, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hopkirk, Irish, Kephart, Ketcham, Leahy, Leavitt, Lee, Litzenberg, Lowry, Maxwell, of Story; McAllister, McClure, McCoid, McCormack, McCoy, McKean, Miller, Newbold, O'Donnell, Paul, Reed, of Jackson; Reuther, Rice, Rule, Schweer, Secor, Skillin, Stedman, Stewart, of Lee; Stone, Stow, Tasker, Taylor, Tufts, Tuttle, Vale, Van Saun, West, Willett, Williams, Wilson, of Keokuk; Wilson, of Tama; Wilson, of Washington; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Young—88.

So the President announced Martin Heisy, William Ure and John L. Downing as duly elected Commissioners of the new penitentiary.

Mr. Irish moved that the Convention proceed to elect Trustees for the Insane Asylum at Mount Pleasant.

Mr. Campbell nominated L. E. Fellows of Allamakee county.

Senator Lowry nominated W. C. Evans of Muscatine county.

On a call of the roll the President announced the whole number of votes cast 86, necessary to a choice 44, of which L. E. Fellows and W. C. Evans each received eighty-six votes, as follows:

Ainsworth, Ballinger, Beatty, of Jasper; Beresheim, Bergh, Blackman, Blakely, Bliss, Booth, Cadwell, Campbell, of Jasper; Campbell, of Jefferson; Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Claussen, Close, Crary, Crawford, Danforth, Dashiell, Davis, Dayton, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Fairall, Freeman, Gault, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hopkirk, Ireland, Irish, Kephart, Ketcham, Leahy, Leavitt, Lee, Litzenberg, Lowry, Maxwell, of Story; McAllister, McClure, McCoid, McCormack, McCoy, McKean, Merrill, of Wapello; Miller, Newbold, Paul, Reed, of Jackson; Reuther, Rice, Rule, Schweer, Secor, Skillin, Stedman, Stewart, of Lee; Stow, Tasker, Tufts, Tuttle, Vale, Van Saun, West, Willett, Williams, Wilson, of Keokuk; Wilson, of Tama; Wilson, of Washington; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Young—Total, 86.

So the President announced L. E. Fellows and W. C. Evans duly elected Trustees of the Insane Asylum at Mount Pleasant.

Senator Dashiell moved that the convention now proceeded to elect trustees for the reform school.

The motion prevailed.

Senator West nominated Thomas E. Corkhill, of Wapello county.

On a call of the roll the President announced the whole number of votes cast, 77. Necessary to a choice 39, of which Thomas E. Corkhill received seventy-seven votes, as follows :

Messrs. Ballinger, Beatty, of Jasper ; Beresheim, Bergh, Blake-ly, Bliss, Booth, Campbell, of Jasper ; Cardell, Carver, Christoph, Clarke, of Iowa ; Claussen, Close, Converse, Crary, Crawford, Danforth, Dashiell, Davis, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson. Evans, Fairall, Freeman, Gault, Gear, Goodspeed, Green, Hall, Hanson, Hewett, Hopkirk, Irish, Kephart, Ketcham, Leahy, Lee, Litzenberg, Maxwell, of Story ; McAllister, McClure, McCormack, McCoy, McKean, Merrill, of Wapello ; Miller, Newbold, O'Donnell, Paul, Reuther, Rice, Richards, Secor, Stedman, Stewart, of Lee ; Tasker, Tufts, Tuttle, Vale, Van Saun, West, Willett, Williams, Wilson, of Keokuk ; Wilson, of Tama ; Wilson, of Washington ; Wood, of Story ; Wright, of Mills, Wright, of Van Buren and Young.

The President declared Thomas E. Corkhill duly elected trustee of the Reform School.

REPRESENTATIVE HALL, }  
Des Moines, Iowa, April 18, 1872. }

*This is to certify*, That at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the 18th day of April, A. D. 1872, for the purpose of electing regents of the State University, Austin Adams having received a majority of all the votes cast for said office, was declared duly elected regent for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected an qualified.

Signed in the presence of the joint convention, this 18th day of April, A. D. 1872.

H. C. BULIS,

*President of the Senate.*

JAMES WILSON,

*Speaker of the House of Representatives*

ATTEST :

SAM'L. H. FAIRALL,

*Teller on part of the Sena'e.*

JOHN BERESHKIM,

*Teller on part of the House of Representatives.*

REPRESENTATIVE HALL, }  
Des Moines, Iowa, April 18, 1872. }

*This is to certify,* That at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the 18th day of April, A. D., 1872, for the purpose of electing Regents of the State University, A. T. Reeve, having received a majority of all the votes cast for said office, was declared duly elected Regent for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this eighteenth day of April, A. D., 1872.

H. C. BULIS,

*President of the Senate.*

JAMES WILSON,

*Speaker of the House of Representatives.*

ATTEST:

SAM. H. FAIRALL,

*Teller on the part of the Senate.*

JOHN BERESHEIM,

*Teller on the part of the House of Representatives.*

REPRESENTATIVE HALL, }  
Des Moines, Iowa, April 18, 1872. }

*This is to certify,* That at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the eighteenth day of April, A. D., 1872, for the purpose of electing Regents of the State University, P. M. Casady, having received a majority of all the votes cast for said office, was declared duly elected Regent for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this eighteenth day of April, A. D., 1872.

H. C. BULIS,

*President of the Senate.*

JAMES WILSON,

*Speaker of the House of Representatives.*

ATTEST:

SAM. H. FAIRALL,

*Teller on the part of the Senate.*

JOHN BERESHEIM,

*Teller on the part of the House of Representatives.*



REPRESENTATIVE HALL,  
Des Moines, Iowa, April 18, 1872. }

*This is to certify,* That at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the eighteenth day of April, A. D., 1872, for the purpose of electing Regents of the State University, A. K. Campbell, having received a majority of all the votes cast for said office, was declared duly elected Regent for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this eighteenth day of April, A. D., 1872.

H. C. BULIS,

*President of the Senate.*

JAMES WILSON,

*Speaker of the House of Representatives.*

ATTEST:

SAM. H. FAIRALL,

*Teller on the part of the Senate.*

JOHN BERESHEIM,

*Teller on the part of the House of Representatives.*

REPRESENTATIVE HALL,  
Des Moines, Iowa, April 18, 1872. }

*This is to certify,* That at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the eighteenth day of April, A. D., 1872, for the purpose of electing Regents of the State University, John F. Duncombe, having received a majority of all the votes cast for said office, was declared duly elected Regent for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this eighteenth day of April, A. D., 1872.

H. C. BULIS,

*President of the Senate.*

JAMES WILSON,

*Speaker of the House of Representatives.*

ATTEST:

SAM. H. FAIRALL,

*Teller on the part of the Senate.*

JOHN BERESHEIM,

*Teller on the part of the House of Representatives.*

REPRESENTATIVE HALL, }  
Des Moines, Iowa, April 18, 1872. }

*This is to certify,* That at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the 18th day of April, A. D. 1872, for the purpose of electing trustees for the Agricultural College and Farm, O. H. P. Buchanan having received a majority of all the votes cast for said office, was declared duly elected a trustee for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 18th day of April, A. D. 1872.

H. C. BULIS,  
*President of the Senate.*

JAMES WILSON,  
*Speaker of the House of Representatives.*

ATTEST :

SAM'L. H. FAIRALL,  
*Teller on part of the Senate.*

JOHN BERESHEIM,  
*Teller on part of the House of Representatives.*

REPRESENTATIVE HALL, }  
Des Moines, Iowa, April 18, 1872. }

*This is to certify,* That at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday the 18th day of April, A. D. 1872, for the purpose of electing trustees for the Agricultural College and Farm, John A. Kasson having received a majority of all the votes cast for said office, was declared duly elected a trustee for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 18th day of April, A. D. 1872.

H. C. BULIS,  
*President of the Senate.*

JAMES WILSON,  
*Speaker of the House of Representatives.*

ATTEST :

SAM'L. H. FAIRALL,  
*Teller on part of the Senate.*

JOHN BERESHEIM,  
*Teller on part of the House of Representatives.*

REPRESENTATIVE HALL,  
Des Moines, Iowa, April 18, 1872. }

*This is to certify*, That at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the 18th day of April, A. D. 1872, for the purpose of electing trustees for the Agricultural College and Farm, W. W. Morsman having received a majority of all the votes cast for said office, was declared duly elected a trustee for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 18th day of April, A. D. 1872.

H. C. BULIS,

*President of the Senate.*

JAMES WILSON,

*Speaker of the House of Representatives.*

ATTEST:}

SAM'L. H. FAIRALL,

*Teller on part of the Senate.*

JOHN BERESHEIM,

*Teller on part of the House of Representatives.*

REPRESENTATIVE HALL,  
Des Moines, Iowa, April 18, 1872. }

*This is to certify*, That at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the 18th day of April, A. D. 1872, for the purpose of electing trustees for the Agricultural College and Farm, Cicero Close having received a majority of all the votes cast for said office, was declared duly elected a trustee for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 18th day of April, A. D. 1872.

H. C. BULIS,

*President of the Senate.*

JAMES WILSON,

*Speaker of the House of Representatives.*

ATTEST:

SAM'L. H. FAIRALL,

*Teller on part of the Senate.*

JOHN BERESHEIM,

*Teller on part of the House of Representatives.*

REPRESENTATIVE HALL,  
Des Moines, Iowa, April 18, 1872. }

*This is to certify,* That at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the 18th day of April, A. D. 1872, for the purpose of electing trustees for the Agricultural College and Farm, Charles E. Leffingwell having received a majority of all the votes cast for said office, was declared duly elected trustee for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 18th day of April, A. D. 1872.

H. C. BULIS,  
*President of the Senate.*

JAMES WILSON,  
*Speaker of the House of Representatives.*

ATTEST :

SAM'L H. FAIRALL,  
*Teller on part of the Senate.*

JOHN BERESHEIM,  
*Teller on part of the House of Representatives.*

REPRESENTATIVE HALL,  
Des Moines, Iowa, April 18, 1872. }

*This is to certify,* That at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the 18th day of April, A. D. 1872, for the purpose of electing trustees for the Agricultural College and Farm, H. D. Noble having received a majority of all the votes cast for said office, was declared duly elected a trustee for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 18th day of April, A. D. 1872.

H. C. BULIS,  
*President of the Senate.*

JAMES WILSON,  
*Speaker of the House of Representatives.*

ATTEST :

SAM'L H. FAIRALL,  
*Teller on part of the Senate.*

JOHN BERESHEIM,  
*Teller on part of the House of Representatives.*

REPRESENTATIVE HALL,  
DES MOINES, IOWA, April 18, 1872. }

*This is to certify*, That at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention on Thursday, the 18th day of April, A. D. 1872, for the purpose of electing trustees of Agricultural College and Farm, H. J. Heaton having received a majority of all the votes cast for said office, was declared duly elected trustee for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 18th day of April, A. D. 1872.

H. C. BULIS,

*President of the Senate.*

JAMES WILSON,

*Speaker of the House of Representatives.*

ATTEST :

SAM'L H. FAIRALL,

*Teller on part of the Senate.*

JOHN BERESHEIM,

*Teller on part of the House of Representatives.*

REPRESENTATIVE HALL,  
DES MOINES, IOWA, April 18th, 1872. }

*This is to certify*, That at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the 18th day of April, A. D. 1872, for the purpose of electing a commissioner of the Penitentiary at Anamosa, Martin Heisy having received a majority of all the votes cast for said office, was declared duly elected commissioner for the term of two years from and after the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 18th day of April, A. D. 1872.

H. C. BULIS,

*President of the Senate.*

JAMES WILSON,

*Speaker of the House of Representatives.*

ATTEST :

SAM'L H. FAIRALL,

*Teller on part of the Senate.*

JOHN BERESHEIM,

*Teller on part of the House of Representatives.*

REPRESENTATIVE HALL,  
Des Moines, Iowa, April 18, 1872. }

*This is to certify,* That at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Thursday the 18th day of April, A. D. 1872, for the purpose of electing commissioners for the Penitentiary at Anamosa, Wm. Ure having received a majority of all the votes cast for said office, was declared duly elected commissioner for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 18th day of April, A. D. 1872.

H. C. BULIS,

*President of the Senate.*

JAMES WILSON,

*Speaker of the House of Representatives.*

ATTEST :

SAM'L H. FAIRALL,

*Teller on part of the Senate.*

JOHN BERESHEIM,

*Teller on part of the House of Representatives.*

REPRESENTATIVE HALL,  
Des Moines, Iowa, April 18th, 1872. }

*This is to certify,* That at an election by the two house of the General Assembly of the State of Iowa, in joint convention, on Thursday, the 18th day of April, A. D., 1872, for the purpose of electing commissioners for the new penitentiary, Foster L. Downing having received a majority of all the votes cast for said office, was declared duly elected Commissioner for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 18th day of April, A. D., 1872.

H. C. BULIS,

*President of the Senate.*

JAMES WILSON,

*Speaker of the House of Representatives.*

ATTEST :

SAM. H. FAIRALL,

*Teller on part of the Senate.*

JOHN BERESHEIM,

*Teller on part of House of Representatives.*

REPRESENTATIVE HALL,  
Des Moines, Iowa, April 18, 1872. }

*This is to certify,* That at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the 18th day of April, A. D., 1872, for the purpose of electing Trustees for Insane Asylum at Mt. Pleasant, L. E. Fellows having received a majority of all the votes cast for said office, was declared duly elected Trustee for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 18th day of April, A. D., 1872.

H. C. BULIS,

*President of the Senate.*

JAMES WILSON,

*Speaker of the House of Representatives.*

ATTEST :

SAM. H. FAIRALL,

*Teller on part of Senate.*

JOHN BERESHEIM,

*Teller on part of House of Representatives.*

REPRESENTATIVE HALL,  
Des Moines, Iowa, April 18, 1872. }

*This is to certify,* That at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the eighteenth day of April, A. D., 1872, for the purpose of electing Trustees for the Insane Asylum, at Mt. Pleasant, W. O. Evans, having received a majority of all the votes cast for said office, was declared duly elected Trustee for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this eighteenth day of April, A. D., 1872.

H. C. BULIS,

*President of the Senate.*

JAMES WILSON,

*Speaker of the House of Representatives.*

ATTEST :

SAM. H. FAIRALL,

*Teller on part of the Senate.*

JOHN BERESHEIM,

*Teller on part of the House of Representatives.*



REPRESENTATIVE HALL, }  
Des Moines, Iowa, April 18, 1872. }

*This is to certify*, That at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the 18th day of April, A. D., 1872, for the purpose of electing Trustees for the Reform School, Thomas E. Corkhill, having received a majority of all the votes cast for said office, was declared duly elected Trustee for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this eighteenth day of April, A. D., 1872.

H. C. BULIS,

*President of the Senate.*

JAMES WILSON,

*Speaker of the House of Representatives.*

ATTEST:

SAM. H. FAIRALL,

*Teller on part of the Senate.*

JOHN BERESHEIM,

*Teller on part of the House of Representatives.*

Senator Lowry moved that the joint convention now dissolve. The motion prevailed, and the convention dissolved.

The Speaker called the House to order.

On motion of Mr. Green, the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, April 19, 1872. }

The House convened pursuant to adjournment.

The Speaker in the chair.

Prayer by Hon. I. Blakely.

Journal of yesterday read and approved.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following bills, in which the concurrence of the House is asked:

Substitute for S. F. No. 30, A bill for an act to repeal chapter 118, of the laws of the Eleventh General Assembly, and to provide a substitute therefor.

I am also directed to inform your honorable body that the Senate has concurred in House amendments to S. F. No. 28, A bill for an act to prevent frequent changes in school books.

Also, S. F. No. 241, A bill for an act to legalize the gifts, grants, sales, and conveyances of certain lands located with the script issued to Johnson county, &c.

Also, S. F. No. 117, A bill for an act to promote the science of medicine and surgery in the State of Iowa.

Also, that the Senate refused to concur in House amendments to S. F. No. 186.

J. A. T. HULL, *Secretary*.

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following bill, without amendment:

H. F. No. 437, A bill for an act to amend chapter 92, of the acts of the Eleventh General Assembly.

I am also directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked:

S. F. No. 278, A bill for an act to legalize certain acts of the board of directors of the district township of Dover, Pocahontas county, and of the board of supervisors of Pocahontas county.

W. L. VESTAL, *First Assistant Secretary*.

By leave, Mr. O'Donnell offered the following resolution:

*Resolved*, That when this House adjourn on Tuesday, the 23d inst., it be at 11 o'clock, A. M.

The resolution was adopted.

The Speaker announced as third Committee of Conference on the part of the House on the disagreeing vote of the House and Senate on H. F. No. 12, Messrs. Evans, Keables, and Irish.

By leave, Mr. Keables introduced H. F. No. 442, A bill for an act in relation to legalizing acts.

Read a first and second time.

Mr. Keables moved that the rule be suspended, that the bill be considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bliss, Booth, Butler, Caldwell, Campbell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa;

Close, Crawford, Danforth, Davis, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ericson, Evans, Freeman, Gear, Goodspeed, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Irish, Keables, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Miller, Newbold, O'Donnell, Perkins, Reed, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stow, Struthers, Tasker, Tufts, Tuttle, Van Meter, Van Saun, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story; Wright, of Van Buren; and Mr. Speaker—Total, 73.

The nays were—

Messrs. Blakely, and Cadwell—Total, 2.

Absent or excused—

Messrs. Bergh, Blackman, Blake, Bonewitz, Christoph, Davisson, Ellsworth, Flenniken, Green, Hanan, Hovey, Johnston, Kasson, Mills, Morrison, Paul, Peet, Pratt, Reuther, Stewart, Teale, Van Deventer, Whitten, Wood, of Clay; and Wright, of Mills—Total, 25.

So the bill passed and the title was agreed to.

Leave of absence was granted to Frank Swan, Messenger, and Mr. Johnson.

Mr. Duncombe, from Judiciary Committee, submitted the following report:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 36, A bill for an act to legalize the acts of the independent school district of Missouri Valley, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

J. F. DUNCOMBE, *for Chairman.*

On motion of Mr. Duncombe, H. F. No. 36, A bill for an act to legalize the acts of the independent school district of Missouri Valley, Iowa, with report of committee recommending its passage, was taken up and considered.

Mr. Duncombe moved that the rule be suspended and the bill considered engrossed and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Blakely, Bliss, Cadwell, Duncombe, Litzenberg, McClure, Perkins, Reuther, Sandry, Schweer and Wright, of Mills—Total, 15.

The nays were—

Messrs. Beatty, of Jasper; Beresheim, Booth, Butler, Caldwell, Campbell, Cardell, Clark, of Benton; Clarke, of Iowa; Close,

Crawford, Danforth, Davis, Davisson, Day, Dayton, Draper, Dumont, Duncan, Durham, Ellsworth, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Irish, Lee, Maxwell, McAllister, McCoy, Merrell, Miller, Newbold, Reed, Rice, Rohlf, Rule, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Tufts, Tuttle, Van Meter, Van Saun, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story; Wright, of Van Buren, and Mr. Speaker—Total, 60.

Absent or excused—

Messrs. Bergh, Blackman, Blake, Bonewitz, Carver, Christoph, Ericson, Evans, Flenniken, Hanan, Hovey, Johnston, Kasson, Keables, Leahy, Mills, Morrison, O'Donnell, Paul, Peet, Pratt, Teale, Van Deventer, Whitten, and Wood, of Olay—Total, 25.

So the bill having failed to receive a constitutional number of votes was declared lost.

By leave Mr. Duncombe, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER:—Your Committee on Judiciary to whom was referred S. F. No. 160, A bill for an act to provide for locating, establishing and constructing ditches, drains and water courses, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be amended by striking out of section 2, in the 8th line, the words "one fourth" and insert "a majority." Add to section 6 the following: *Provided further*, That no water course shall be so changed as to deprive the owner of any adjacent lands of the benefits thereof, unless the owner shall consent thereto, and that the bill so amended do pass.

J. F. DUNCOMBE, *for Chairman.*

By leave Mr. Newbold, from the Committee on Schools, submitted the following report:

MR. SPEAKER:—Your Committee on Schools, to whom was referred the resolution instructing the Committee on Schools to inquire into the propriety of so amending the school laws of Iowa as to authorize school boards to appropriate money from the contingent fund to buy the text books for the use of their schools, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it lay on the table.

J. G. NEWBOLD, *Chairman.*

On motion of Mr. Duncombe, S. F. No. 160, A bill for an act to provide for locating, establishing, and constructing ditches, drains, and water courses, with report of committee recommending its passage, with amendments, was taken up and considered.

The committee amendment was adopted.

Bill read a first and second time.

Mr. Duncombe moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Appleton, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Blackman, Blakely, Bliss, Booth, Butler, Cadwell, Caldwell, Campbell, Carver, Clarke, of Iowa; Close, Crawford, Danforth, Davis, Davisson, Day, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hilton, Hopkirk, Leahy, Litzenberg, McAllister, McClure, McCoy, Merrell, Miller, Newbold, O'Donnell, Perkins, Reed, Renther, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Skillin, Stow, Struthers, Teale, Tuttle, Van Meter, Van Saun, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story; Wright, of Mills; and Wright, of Van Buren—  
—Total, 67.

The nays were—

Messrs. Ainsworth, Clark, of Benton; Stewart, Tasker, and Mr. Speaker—Total, 5.

Absent or excused—

Messrs. Ballinger, Bergh, Blake, Bonewitz, Cardell, Christoph, Dayton, Evans, Flenniken, Hanan, Hewett, Hovey, Irish, Johnston, Kasson, Keables, Lee, Maxwell, Mills, Morrison, Paul, Peet, Pratt, Stedman, Tufts, Van Deventer, Whitten, and Wood, of Clay—Total, 28.

So the bill passed and the title was agreed to.

#### REPORT OF COMMITTEE.

Mr. Close, from Committee on Agriculture, submitted the following report:

MR. SPEAKER:—Your Committee on Agriculture, to whom was referred H. F. No. 441, A bill for an act to provide for the inspection of stock and grain scales, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with a substitute therefor, and recommend that it do pass.

CLOSE, *Chairman.*

On motion of Mr. Close, special order, H. F. No. 441, A bill for an act to provide for the inspection of stock and grain scales, with report of Committee recommending a substitute, was taken up and considered.

The substitute was adopted.

The bill was ordered engrossed and to be read a third time.

Mr. Close moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Jasper; Beresheim, Bergh, Blackman, Blakely, Bliss, Booth, Butler, Cadwell, Caldwell, Carver, Clark, of Benton; Clarke of Iowa; Close, Crawford, Danforth, Davis, Day, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Gear, Hall, Hanson, Heberling, Hewatt, Hilton, Leahy, Lee, Litzenberg, McClure, Merrell, Miller, Newbold, O'Donnell, Perkins, Reed, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Struthers, Tasker, Teale, Tufts, Tuttle, Van Meter, Van Saun, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story; Wright, of Van Buren; and Mr. Speaker—Total, 64.

The nays were—

Messrs. Campbell, Davisson, Draper, Freeman, Goodspeed, Hopkirk, McAllister, McCoy, Stewart, Stow, and Wright, of Mills—Total, 11.

Absent or excused—

Messrs. Ballinger, Beatty, of Cedar; Blake, Bonewitz, Cardell, Christoph, Dayton, Flenniken, Green, Hanan, Hovey, Irish, Johnston, Kasson, Keables, Maxwell, Mills, Morrison, Paul, Peet, Pratt, Van Deventer, Whitten, Williams, and Wood, of Clay—Total, 25.

So the bill passed and title was agreed to.

Mr. Close offered the following substitute for the title.

"An act supplementary to chapter 56, laws of the Tenth General Assembly, relating to weigh-master of public scales."

The substitute was adopted, and the title thus amended was agreed to.

Mr. Bergh, from Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills ask leave to report that they have examined the following bills, and find the same correctly enrolled:

H. F. No. 296, A bill for an act to promote water-power improvements.

Also, H. F. No. 163, A bill for an act to protect the insane.

Also, H. F. No. 438, A bill for an act to permanently locate the Iowa Reform School.

Also, H. F. No. 357, A bill for an act to provide for the return of poll books to the county auditor.

Also, substitute for H. F. No. 17, A bill for an act to amend chapter 8 of the laws of the Thirteenth General Assembly.

KNUT E. BERGH, *Chairman, pro tem.*

## UNFINISHED BUSINESS.

The question recurring on the amendment offered by Mr. Heberling to H. F. No. 395, the amendment was adopted.

Mr. Heberling offered the following amendment:

"And it is hereby made the duty of the auditor, upon being presented with the notes and mortgages herein provided for, and a satisfactory abstract of title, to issue his warrant upon the treasurer for the amount of the appropriation and loan provided for."

The amendment was adopted.

Mr. Heberling moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Jasper; Beresheim, Bergh, Bliss, Booth, Butler, Cadwell, Caldwell, Campbell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Davis, Day, Dayton, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Freeman, Gear, Goodspeed, Green, Hall, Heberling, Hewett, Hopkirk, Irish, Kasson, Keables, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, Merrell, Miller, O'Donnell, Perkins, Reed, Reuther, Rice, Rohls, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tacker, Tuttle, Van Saun, Williams, Wilson, of Keokuk; Wood, of Story; and Mr. Speaker—Total, 68.

The nays were—

Messrs. Beatty, of Cedar; Blakely, Danforth, Davisson, Draper, Hanson, Hilton, McCoy, Newbold, Teale, Tufts, Van Meter, Wilson, of Washington; Wright, of Mills; and Wright, of Van Buren—Total, 15.

Absent or excused—

Messrs. Blackman, Blake, Bonewitz, Christoph, Evans, Flenniken, Hanan, Hovey, Johnston, Mills, Morrison, Paul, Peet, Pratt, Van Deventer, Whitten, and Wood, of Olay—Total, 17.

So the bill passed and the title was agreed to.

Mr. Freeman, from the Committee on Military Affairs, submitted the following report:

MR. SPEAKER:—Your Committee on Military Affairs, to whom was referred H. F. No. 378, A bill for an act defining the office of Adjutant-General, Paymaster-General, and Quartermaster-General, fixing the salary of said officer, and providing for the number of employees in the arsenal, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House without recommendation.

J. H. FREEMAN, *Chairman.*



Mr. Appleton presented the following concurrent resolution, which was adopted by the House:

Preamble and joint resolution relative to the building of a bridge across the Big Sioux River.

WHEREAS, The Big Sioux River is the boundary line between the State of Iowa and Dakota Territory for a distance of seventy-five (75) miles; and,

WHEREAS, Said river is almost impassible for one half of the year, except for terry boats, and then at great expense and danger to life and property, and as there is but one bridge across said river and that within three miles of its mouth, leaving sixty-seven miles for the emigrant and settler to cross as best they can; and

WHEREAS, It has been shown by competent engineers that said river can be securely and safely bridged, and at a cost not far from twenty thousand dollars, with stone abutments and iron superstructure; and

WHEREAS, The citizens of Lyon county, Iowa, and Minnehaha county, Dakota Territory, agree that if Government will make an appropriation of fifteen thousand dollars for the purposes above named, they will furnish the balance by tax and contribution, that when added to the above shall make an amount sufficient to complete said bridge. Therefore,

*Be it Resolved by the General Assembly of the State of Iowa,* That our Senators be instructed, and our Representatives in Congress be requested in the name of the people of the State of Iowa, to use their influence to secure such appropriation by Congress, and, if successful, that they appoint a commissioner to expend said money in accordance with this preamble and joint resolution.

*Resolved,* That the Secretary of State be instructed to send a copy of this preamble and joint resolution to each of our Senators and Representatives in Congress.

Mr. Wright, of Mills, offered the following resolution which was adopted by the House:

*Be it resolved by the General Assembly of the State of Iowa,* That in pursuance of an act of the Fourteenth General Assembly in regard to the appointment of trustees for the Soldiers' Orphans' Homes, there is hereby appointed the following persons as a Board of Trustees for said Homes: from the State at large, J. W. Cattell, of Polk county; from the county of Mills, Isaac Cooper; from the county of Scott, S. P. Bryant; from the county of Black-Hawk, G. B. Van Saun.

#### MESSAGES ON THE SPEAKER'S TABLE.

S. F. No 236, A bill for an act apportioning the State of Iowa into Representative Districts, &c., was read a first and second time and referred to Committee on Representative Districts.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following bill without amendment:

H. F. No. 107, A bill for an act to enable townships, towns and cities to transfer a tax voted to aid in the construction of a railroad to other roads in certain cases.

J. A. T. HULL, *Secretary*.

S. F. No. 77, A bill for an act to repeal section 3275 of the Revision of 1860, and chapter 43 of the acts of the Thirteenth General Assembly, was read a first and second time.

Mr. Ainsworth moved that the rule be suspended and the bill be considered engrossed and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beresheim, Bergh, Blackman, Blakely, Booth, Campbell, Cardell, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Davis, Day, Dayton, Draper, Dumont, Duncan, Durham, Ellsworth, Ericson, Evans, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Hilton, Hopkirk, Irish, Kasson, Lee, Litzenberg, Maxwell McClure, McCoy, Merrell, Miller, Newbold, O'Donnell, Paul, Perkins, Reed, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Skillin, Stow, Struthers, Tasker, Tufts, Tuttle, Van Saun, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story, and Mr. Speaker—Total, 65.

The nays were—

Messrs. Beatty, of Cedar; Beatty, of Jasper; Davisson, Stewart and Wright, of Mills—Total, 5.

Absent or excused—

Messrs. Blake, Bliss, Bonewitz, Butler, Cadwell, Caldwell, Carver, Christoph, Danforth, Duncombe, Flenniken, Hanan, Heberling, Hewett, Hovey, Johnston, Keables, Leahy, McAllister, Mills, Morrison, Peet, Pratt, Stedman, Teale, Van Deventer, Van Meter, Whitten, Wood, of Clay; and Wright, of Van Buren—Total, 34.

So the bill passed and the title was agreed to.

By leave, Mr. Irish offered the following resolution, which was referred to Committee on Ways and Means:

*Resolved*, That the Committee on Ways and Means be requested to inquire and report to the House as to the necessity of such legislation as shall secure to Iowa proper representation at the World's Exposition, to be held at Vienna in the year 1873.

S. F. No. 278, A bill for an act to legalize certain acts of the board of directors of the district township of Dover, &c., was read a first and second time.

Mr. Stow moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Jasper; Bergh, Blackman, Blakely, Bliss, Booth, Cadwell, Caldwell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Crawford, Danforth, Davis, Dayton, Draper, Dumont, Duncan, Durham, Ellsworth, Ericson, Freeman, Gear, Hanson, Heberling, Hewett, Hilton, Irish, Keables, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, O'Donnell, Paul, Reed, Reuther, Rice, Rohlf, Rule, Sandry, Secor, Skillin, Stedman, Stow, Struthers, Tasker, Teale, Tufts, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 61.

The nays were—

Messrs. Campbell, Close, Evans, Goodspeed, Green, Hall, Hopkirk, Miller, Newbold, Schweer, Stewart, Van Meter, and Van Sann—Total, 13.

Absent or excused—

Messrs. Beatty, of Cedar; Beresheim, Blake, Bonewitz, Butler, Christoph, Davisson, Day, Duncombe, Flenniken, Hanan, Hovey, Johnston, Kasson, Leahy, Lee, Mills, Morrison, Peet, Perkins, Pratt, Tuttle, Van Deventer, Whitten, Williams, and Wood, of Clay—Total, 26.

So the bill passed and the title was agreed to.

S. F. No. 274, A bill for an act to amend chapter 70 of the laws of the 14th General Assembly, was read a first and second time.

Mr. Clark, of Benton, moved that the rule be suspended, the bill be considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Blackman, Booth, Campbell, Cardell, Clark, of Benton; Clarke, of Iowa; Close, Davis, Duncan, Ericson, Heberling, Hewett, Hopkirk, Irish, Keables, Litzenberg, Maxwell, McAllister, McClure, O'Donnell, Perkins, Reuther, Stedman, Struthers, Van Sann, Whitten, Wright, of Mills; and Mr. Speaker—Total, 28.

The nays were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar;

Beatty, of Jasper; Beresheim, Bergh, Blakely, Bliss, Cadwell, Caldwell, Crawford, Danforth, Davisson, Day, Draper, Duncombe, Durham, Ellsworth, Evans, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Hilton, Leahy, Lee, McCoy, Merrell, Miller, Newbold, Paul, Rice, Rule, Sandry, Schweer, Skillin, Stow, Tufts, Van Meter, Wilson, of Keokuk; Wilson, of Washington; and Wright, of Van Buren—Total, 45.

Absent or excused—

Messrs. Blake, Bonewitz, Butler, Carver, Christoph, Dayton, Dumont, Flenniken, Hanan, Hovey, Johnston, Kasson, Mills, Morrison, Peet, Pratt, Reed, Rohlfis, Secor, Stewart, Tasker, Teale, Tuttle, Van Deventer, Williams, Wood, of Clay; and Wood, of Story—Total, 26.

So the bill not receiving a constitutional number of votes was declared lost.

#### REPORT OF COMMITTEE.

By leave, Mr. Kasson, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER:—Your Committee on Ways and Means, to whom was referred Substitute for H. F. No. 281, A bill for an act to amend section 724 of the Revision of 1860, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass with an amendment striking out the first proviso of the bill.

Also, memorial of R. G. Orwig, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the following report of facts and accompanying resolution, the passage of which is recommended:

First. The committee did not enter into the questions of the fairness or regularity of the judicial proceedings, nor into the personal questions raised in the memorial between Orwig and the referee, Mr. Nourse. They regarded such inquiries as not pertinent to the jurisdiction of this committee.

Second. So much of the memorial as related to the finances of the State, they believed it to be their duty to examine.

In this respect they find that the property originally conveyed to a trustee as security for the funds alleged to have been wrongfully taken from the State, was estimated, on the sworn statement of T. F. Withrow, among others, at thirty thousand dollars.

It afterwards appeared that there were liens on the property, which had to be removed to make the title good. This was done at a cost to the State, for the discharge of liens and for attorneys employed in the numerous suits under the direction of the Att'y-General, of \$14,751.68.

A suit for the most valuable property, known as the homestead, is still pending.

For the property acquired by the State heretofore sold, there were taken three notes, as follows :

1st, Of Thos. F. Withrow ; dated Dec. 23, 1867, and due Jan. 1, 1870, with interest at 8 per cent—\$1,512.

2d, Of J. M. Forney & Co.; dated Jan. 1, 1868, due January 1, 1873, with interest at 8 per cent—\$5,000.

3d, Of J. A. Williamson (afterwards assumed by the Hawkeye Insurance Company), dated Feb. 13, 1868, and due Feb. 13, 1873, with interest at 8 per cent—\$5,250.

4th, Cash received from sales to the amount of \$4,675.58.

The first note of T. F. Withrow the committee found overdue for two years, both in principal and interest. Since their investigation it has been paid in full to the amount of \$2,027.70.

One year's interest only has been paid by J. M. Forney & Co., but they are reported good for the whole amount, besides the property security.

The interest was in arrear for one year on the note assumed by the Hawkeye Insurance Company, but is now paid in full, and the company is abundantly responsible independent of security.

The committee is informed that the notes were deposited with the Treasurer for safe-keeping by the late Attorney-General, but that the Treasurer is not the party charged with the prosecution thereof.

The probabilities of the recovery of the homestead property cannot be stated by your committee, as they have no information thereon further than the opinion of the counsel that the State will ultimately acquire the same.

But they deem it important that some officers should be especially charged with all this interest, and with authority to bring to an end the prolonged litigation, if practicable and advantageous to the State.

They therefore recommend the adoption of the resolution herewith reported.

JOHN A. KASSON, *Chairman.*

S. F. No. 270, A bill for an act to amend chapter 101, laws of the Fourteenth General Assembly, with report of committee recommending amendments, was taken up and considered.

The amendments recommended by the committee were adopted.

Mr. Hall moved to amend by adding a new section as follows:

The commissioners shall at the close of each month present to the Auditor of State a certified exhibit of all amounts due for labor done or material furnished during said month, and the Auditor shall thereupon deliver to them a warrant on the State treasury for the amount, and no warrant shall be issued except upon such exhibit.

Mr. Tasker moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blakely, Bliss, Booth, Cadwell, Caldwell, Campbell, Cardell, Carver, Clarke, of Iowa; Close, Crawford, Danforth, Davis, Davisson, Day, Draper, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Hewett, Hilton, Hopkirk, Irish, Kasson, Leahy, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Miller, Newbold, O'Donnell, Paul, Reed, Renthner, Rice, Rule, Sandry, Skillin, Stedman, Stow, Struthers, Tasker, Tufts, Tuttle, Van Saun, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 71.

The nays were—

Mr. Stewart.

Absent or excused—

Messrs. Ballinger, Blackman, Blake, Bonewitz, Butler, Christoph, Clark, of Benton; Dayton, Dumont, Flenniken, Hanan, Heberling, Hovey, Johnston, Keables, Lee, Mills, Morrison, Peet, Perkins, Pratt, Rohls, Schweer, Secor, Teale, Van Deventer, Van Meter, and Wood, of Clay—Total, 28.

So the bill passed and the title was agreed to.

Mr. Bergh, from Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bills, viz:

H. F. No. 158, An act to amend section 2, chapter 177, acts of the Thirteenth General Assembly.

Also, H. F. No. 129, An act to amend section 3, chapter 158, laws of the Thirteenth General Assembly, in relation to the reading of wills.

Also, H. F. No. 73, An act to amend section 2, chapter 173, Ninth General Assembly.

Also, H. F. No. 805, An act to amend chapter 148, Ninth General Assembly.

Also, H. F. No. 175, An act providing for the organization of independent school districts.

Also, H. F. No. 291, An act to repeal a part of section 1, chapter 23, Ninth General Assembly.

Also, H. F. No. 100, An act to legalize the sale of school lands in Lucas county.



Also, H. F. No. 366, An act to authorize clerks of district and circuit courts to satisfy mortgages foreclosed, &c.

Also, S. F. No. 268, An act authorizing the board of supervisors of Polk county to extend the time for the completion of the Des Moines and Minnesota Railroad.

Also, H. F. No. 435, An act making appropriations for the salaries of state and judicial officers.

Also, H. F. No. 390, An act providing for the payment of bonds issued under chapter 58, laws of the Fourteenth General Assembly.

Also, H. F. No. 312, An act to allow all appeals to the Supreme Court from the counties of Hardin and Franklin.

Also, H. F. No. 427, An act making an appropriation for the payment of the mileage of the members of the Fourteenth General Assembly.

Also, joint resolution appointing trustees for the Iowa College for the Blind.

KNUT E. BERGH, *Chairman pro tem.*

S. F. No. 84, A bill for an act to amend an act entitled an act to protect game, &c., was taken up and considered.

The House refused to concur in the Senate amendments, and the Speaker announced as Conference Committee on the part of the House on the disagreeing vote, Messrs. Appleton, Kasson, Green, and Olose.

S. F. No. 275, A bill for an act to amend section 2, chapter 59, laws of the Twelfth General Assembly, and to enact a substitute therefor, was read a first and second time, and referred to Judiciary Committee.

S. F. No. 30, A bill for an act to repeal chapter 118, of the laws of the Eleventh General Assembly, and to provide a substitute therefor.

Read a first and second time, and referred to Committee on Printing.

Mr. Ellsworth moved to reconsider the action of the House in referring to Committee on Printing.

The motion prevailed.

Mr. Leahy moved to refer to Committee on Ways and Means.

Mr. Irish moved to amend by referring to Committee on Printing.

The amendment was lost.

The motion to refer to Committee on Ways and Means prevailed.

On motion of Mr. Dayton, the motion to reconsider the vote by which H. F. No. 414, A bill for an act for the relief of J. W. Carver, was lost, was taken up.

The motion to reconsider prevailed.

The question being on the passage of the bill, the yeas and nays were as follows :



The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Jasper; Beresheim, Bergh, Blackman, Bliss, Booth, Cadwell, Caldwell, Campbell, Cardell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davisson, Day, Dayton, Dumont, Duncan, Duncombe, Ellsworth, Ericson, Freeman, Gear, Green, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Irish, Keables, Leahy, Litzenberg, Maxwell, McAllister, McClure, Merrell, Miller, Newbold, O'Donnell, Paul, Perkins, Reed, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stow, Struthers, Tasker, Tufts, Van Saun, Whitten, Williams, Wilson, of Keokuk; Wilson, of Washington; and Wood, of Story—Total, 70.

The nays were—

Messrs. Beatty, of Cedar; Blakely, Davis, Durham, Evans, Goodspeed, Kasson, Lee, McCoy, Stewart, Van Meter, Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 14.

Absent or excused—

Messrs. Blake, Bonewitz, Draper, Butler, Flenniken, Hanan, Hovey, Johnston, Mills, Morrison, Peet, Pratt, Teale, Tuttle, Van Deventer, and Wood, of Clay—Total, 16.

So the bill passed and the title was agreed to.

Leave was granted to Mr. Secor to present the following memorial:

*To the General Assembly of the State of Iowa:* Your memorialists, the common council of the town of Clear Lake, Iowa, would respectfully represent that private persons are using the waters of Clear Lake for business purposes to the great detriment of the public, in that the outlet of said lake is being constantly lowered, and the waters of the lake drawn off. They would therefore respectfully ask that a general law be passed prohibiting any persons from lowering the natural outlets of all lakes in this State meandered by government surveys, and such other provisions as will preserve the lakes at a natural stage of water. Also, giving incorporated towns, townships, or counties, authority to make and enforce ordinances for the protection of fish in the inlets, outlets and waters in the lakes of this State.

W. H. STANLEY, *Mayor*.

J. R. PRIME, *Recorder*.

O. S. GOODWIN.

ALEX. CAMPBELL.

S. M. RICHARDSON.

J. H. SWENEY.

JAMES. PRICE.

H. F. No. 278, A bill for an act for the protection of birds, was read a first and second time.

Mr. Goodspeed moved that the rule be suspended and the bill be put upon its passage.

The motion did not prevail.

Mr. Hall moved that the bill be indefinitely postponed.

Mr. Ainsworth moved to amend as follows: "Any bird found eating cherries off a tree that does not belong to it may be shot."

The motion prevailed.

Mr. Reed moved to amend by including "grapes and currants."

The motion prevailed.

The motion to indefinitely postpone prevailed.

By leave, Mr. Ballinger called up H. F. No. 418, A bill for an act for the relief of Joseph Metz, was taken up and considered.

Mr. Durham moved to amend: Strike out "\$2,000," and insert "\$200 per annum, payable monthly, at the end of each month, by the Treasurer of State."

The amendment was adopted.

Mr. Clark, of Benton, moved to reconsider the vote by which the amendment was adopted.

The motion did not prevail.

Mr. Ballinger moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Jasper; Beresheim, Booth, Cadwell, Caldwell, Cardell, Christoph, Clark, of Benton; Clarke, of Iowa; Crawford, Davis, Day, Dayton, Dumont, Duncan, Duncombe, Durham, Ellsworth, Evans, Freeman, Gear, Green, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Irish, Keables, Leahy, Litzenberg, McAllister, McClure, Merrell, Miller, Newbold, O'Donnell, Paul, Perkins, Reed, Reuther, Rice, Rohlf, Rule, Sandry, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tuttle, Van Saun, Williams, Wilson, of Keokuk; and Wilson, of Washington—Total, 61.

The nays were—

Messrs. Beatty, of Cedar; Bergh, Blakely, Close, Davisson, Draper, Ericson, Goodspeed, McCoy, Tasker, Tufts, Van Meter, Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 16.

Absent or excused—

Messrs. Blackman, Blake, Bliss, Bonewitz, Butler, Campbell, Carver, Danforth, Flenniken, Hanan, Hovey, Johnston, Kasson, Lee, Maxwell, Mills, Morrison, Peet, Pratt, Teale, Van Deventer, Whitten, and Wood, of Clay—Total, 23.

So the bill not having received a constitutional number of votes, was declared lost.

Mr. Goodspeed moved to reconsider the vote by which H. F. No.

418 was lost, and moved that the same be postponed until 2:30 o'clock this afternoon.

The motion to postpone prevailed.

Mr. Heberling offered the following resolution, which was not adopted :

*Resolved*, That this House will hold a session for the transaction of business, this evening, from 7:30 to 9 o'clock P. M.

The hour of 12 M. having arrived, the Speaker declared the House adjourned.

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TWO O'CLOCK, P. M.

The Speaker called the House to order.

The joint resolution in regard to amendments of the constitution was taken up, read, and passed on the files.

S. F. No. 137, A bill for an act to prevent the unlawful driving away of stock, &c., was read a first and second time.

Mr. Blakely moved that the rule be suspended, the bill be considered engrossed, and read a third time now.

The motion prevailed.

The bill was a read a third time.

On the question, " Shall the bill pass ? " the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Cedar; Bergh, Blackman, Blakely, Booth, Cadwell, Caldwell, Campbell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Crawford, Danforth, Davis, Draper, Duncan, Durham, Ellsworth, Ericson, Evans, Freeman, Gear, Goodspeed, Hanson, Heberling, Hewett, Hilton, Hopkirk, Irish, Keables, Lee, Litzenberg, McAllister, McClure, McCoy, Miller, Newbold, O'Donnell, Perkins, Reed, Rice, Rule, Schweer, Secor, Skillin, Stow, Struthers, Tasker, Teale, Tufts, Van Meter, Van Saun, Wilson, of Keokuk; Wilson, of Washington; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 60.

The nays were none.

Absent or excused—

Messrs. Ballinger, Beatty, of Jasper; Beresheim, Blake, Bliss, Bonewitz, Butler, Christoph, Close, Davisson, Day, Dayton, Dumont, Duncombe, Flenniken, Green, Hall, Hanan, Hovey, Johnston, Kasson, Leahy, Maxwell, Merrell, Mills, Morrison, Paul, Peet, Pratt, Reuther, Rohlf, Sandry, Stedman, Stewart, Tuttle, Van Deventer, Whitten, Williams, Wood, of Clay; and Wood, of Story—Total, 40.

So the bill passed and the title was agreed to.

## RESOLUTIONS.

Mr. Irish offered the following resolution, which was adopted :

*Resolved*, That the auditor of State be authorized and instructed to draw and forward a warrant to the Hon. Darins B. Hanan for the amount of his per diem and compensation for this session of the 14th General Assembly.

S. F. No. 238, A bill for an act to legalize the ordinances of the city of Waverly, with report of committee recommending its passage, was taken up and considered.

Mr. Skillin submitted the following amendment :

Strike out all after the word "the" in the sixth line of the second page and insert in lieu thereof the following provisions of sections 1122 and 1133 of the Revision of 1860, has been strictly complied with.

The amendment was adopted.

Mr. Skillen moved that the rule be suspended, the bill be considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question " Shall the bill pass ? " the yeas and nays were as follows :

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Cedar; Bergh, Blackman, Blakely, Bliss, Booth, Cadwell, Caldwell, Campbell, Cardell, Carver, Clark, of Benton; Close, Crawford, Danforth, Davis, Day, Dayton, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hilton, Irish, Keables, Lee, Litzenberg, McAllister, McClure, McCoy, Miller, Newbold, O'Donnell, Paul, Perkins, Reed, Rice, Rohlf, Rule, Schweer, Secor, Skillin, Stow, Struthers, Tasker, Teale, Tuttle, Van Saun, Wilson, of Keokuk; Wilson, of Washington; Wright, of Van Buren, and Mr. Speaker—Total, 65.

The nays were—

Messrs. Clarke of Iowa; Hopkirk, Merrell, Stewart, Tufts and Van Meter—Total, 6.

Absent or excused—

Messrs. Ballinger, Beatty, of Jasper; Beresheim, Blake, Bonewitz, Butler, Christoph, Davisson, Draper, Flenniken, Hanan, Hovey, Johnston, Kasson, Leahy, Maxwell, Mills, Morrison, Peet, Pratt, Reuther, Sandry, Stedman, Van Deventer, Whitten, Williams, Wood, of Clay; Wood, of Story; and Wright, of Mills—Total, 29.

## REPORT OF COMMITTEE.

Mr. Evans, from Committee of Conference on H. F. No. 12, submitted the following report, which was passed on file :

The third committee of conference on the disagreeing votes of the two houses upon the Senate amendments to substitute for H. F. No. 12, having met, after full and free conference, have agreed to report, and do report to their respective houses as follows:

That in place of the Senate amendments the following be adopted as a substitute, viz:

SEC. 17. That there shall be elected at the general election in 1872, and every two years thereafter, three commissioners, who shall not, in any manner, either as stock-holder, employee, attorney, or otherwise, be connected with any railroad in this State, who shall hold their offices for two years, and until their successors are elected and qualified, unless sooner removed by the Governor for corruption in office, and who shall have a general supervision of railroad matters in the State; they shall see that this law is faithfully executed, and if, after a fair trial, any of its rates of tariff shall be found grossly unjust toward either the railroad or the people, working serious injury to either, they shall so modify them as to make them just, giving notice of said change by publication in one newspaper published at the capital, and also in some newspaper published on the line of road affected by such change, giving in full their reasons for such change; and said modified rates shall be posted up by the railroad company so affected, as required in section 15 of this act. Any such change made by said commissioners shall be as valid and legal as if the same had been established by law.

SEC. 18. Said commissioners shall have full power and authority, and it is hereby made their duty, to examine into the management, operation, and affairs of all railroad corporations in this State, or any partly within and partly without the State, and they shall have the use of all the legal means and process necessary for that purpose; and they shall make a full report of their doings under this act to the General Assembly.

SEC. 19. The commissioners may hold their sessions at such places as they may deem proper, taking into consideration the convenience of all parties concerned. Before they hold any meeting as provided, they shall give at least ten days notice by publication in three newspapers, one at the capital, and the other two at such places as they may select, changing the same according to the locality interested; which shall state the object, and the time, and place at which such meeting shall be held. The expenses of publication of notices provided for in this act shall be paid for by the parties making complaint.

SEC. 20. The violation of any regulation, or order of said commissioners, made in pursuance of the provisions of this act, shall be visited by the punishment and penalties prescribed in section eleven (11) of this act.

SEC. 21. Said commissioners shall take the usual oath of office, and should any commissioner elected under the provisions of this

act be guilty of taking a bribe, either directly or indirectly, in any matter pertaining to his duties herein prescribed, he shall, upon conviction, be punished by imprisonment in the penitentiary for a term not exceeding ten years.

SEC. 22. The compensation of said commissioners shall be seven dollars per day, for the time actually employed in the discharge of their duties, and also their actual traveling expenses, which are incurred in performance of said duties, which shall be paid out of the State treasury upon certified statements made to the State Auditor.

F. T. CAMPBELL,  
G. R. WILLETT,  
*Managers on part of the Senate.*

W. C. EVANS,  
JNO. P. IRISH,  
B. F. KEABLES,  
*Managers on part of the House.*

By leave, Mr. Hall introduced H. F. No. 443, A bill for an act in relation to capital punishment.

Read a first and second time.

Mr. Hall moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were —

Messrs. Ainsworth, Appleton, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Blackman, Bliss, Booth, Caldwell, Carver, Clarke, of Iowa; Close, Crawford, Danforth, Davis, Day, Draper, Dumont, Durham, Ellsworth, Evans, Freeman, Gear, Goodspeed, Hall, Hanson, Heberling, Hewett, Hilton, Irish, Keables, Lee, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Miller, Newbold, Paul, Perkins, Rice, Rohlf, Rule, Secor, Skillin, Struthers, Tasker, Teale, Tufts, Van Saun, Wilson, of Keokuk; and Mr. Speaker — Total, 54.

The nays were —

Messrs. Bergh, Blakely, Caldwell, Campbell, Clark, of Benton; Dayton, Duncan, Duncombe, Ericson, Hopkirk, Leahy, O'Donnell, Reed, Schweer, Stewart, Stow, Tuttle, Van Meter, Wilson, of Washington; Wright, of Mills; and Wright, of Van Buren — Total, 21

Absent or excused —

Messrs. Ballinger, Blake, Bonewitz, Butler, Cardell, Christoph, Davisson, Flenniken, Green, Hanan, Hovey, Johnston, Kasson,

Mills, Morrison, Peet, Pratt, Reuther, Sandry, Stedman, Van Deventer, Whitten, Williams, Wood, of Clay ; and Wood, of Story—Total, 25.

So the bill passed and the title was agreed to.

By leave, Mr. Adams introduced H. F. No. 444, A bill for an act to repeal section 4, chapter 62, of the acts of the Fourteenth General Assembly, and to enact a substitute therefor.

The bill was read a first and second time.

Mr. Davis moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blakely, Bliss, Booth, Butler, Cadwell, Caldwell, Campbell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Davisson, Day, Dayton, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Freeman, Gear, Goodspeed, Hall, Hanson, Heberling, Hewett, Hilton, Irish, Keables, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Miller, Newbold, O'Donnell, Paul, Perkins, Reed, Rice, Rohlf, Rule, Schweer, Secor, Skillin, Stow, Struthers, Tasker, Tutts, Tuttle, Van Meter, Van Saun, Wilson, of Keokuk; Wilson, of Washington; Wright, of Van Buren; and Mr. Speaker—Total, 72.

The nays were—

Messrs. Green, Hopkirk, and Stewart—Total, 3.

Absent or excused—

Messrs. Ballinger, Blake, Bonewitz, Cardell, Christoph, Draper, Flenniken, Hanan, Hovey, Johnston, Kasson, Mills, Morrison, Peet, Pratt, Reuther, Sandry, Stedman, Teale, Van Deventer, Whitten, Williams, Wood, of Clay; Wood, of Story; and Wright, of Mills—Total, 25.

So the bill passed and the title was agreed to.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following bills, and resolutions, in which the concurrence of the House is asked:

S. F. No. 279, A bill for an act supplemental to an act providing for the permanent location of the Iowa Reform School.

Also, concurrent resolution authorizing the Secretary of State to furnish each member of the Fourteenth General Assembly with all Supreme Court reports published during their term of office.



Also, concurrent resolution fixing the hour for adjournment on Tuesday next at 11 o'clock, A. M.

I am also directed to inform your honorable body that the Senate has passed without amendment H. F. No. 181, A bill for an act for the relief of occupying claimants of lands granted to the State of Iowa.

Also, H. F. No. 387, A bill for an act to legalize the action of the board of supervisors of Emmett county, in funding outstanding county warrants.

J. A. T. HULL, *Secretary*.

Mr. Lee, from Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER:—The Committee on Engrossed Bills ask leave to report that they have examined the following bill, and find the same correctly engrossed:

H. F. No. 395, A bill for an act for the relief of the Asylum for Destitute and Orphan Children, at Andrew, Iowa.

JOHN M. LEE, *Chairman*.

H. F. No. 412, A bill for an act fixing the compensation for publication of delinquent tax list, with report of committee recommending its passage with amendments, was taken up and considered.

Mr. Irish submitted the following amendments:

1st. In the last line of first section insert the word "twenty," instead of "ten."

2d. Add to first section, "and the county treasurer shall add to the tax, interest and cost due from each delinquent tax payer the sum of twenty cents for each description of such delinquent lands."

3d. Add to section 3, "all acts and parts of acts contravening this act are hereby repealed."

The amendment was not adopted.

Mr. Ainsworth moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blakely, Caldwell, Campbell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Crawford, Danforth, Davis, Day, Draper, Dumont, Duncan, Durham, Ellsworth, Evans, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Keables, Leahy, Lee, Litzenberg, McAllister, McClure, McCoy, Merrell, Miller, Newbold, Rice, Rohlf, Rule, Schweer, Skillin, Stewart,

Tasker, Tufts, Van Meter, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 60.

The nays were —

Messrs. Bliss, Booth, Butler, Close, Davisson, Duncombe, Stedman, Ericson, Irish, Maxwell, O'Donnell, Perkins, Reuther, Stow, Struthers, Tuttle, Van Saun, Whitten, and Williams—Total, 19.

Absent or excused—

Messrs. Blake, Bonewitz, Cadwell, Christoph, Dayton, Flenniken, Hanan, Hovey, Johnston, Kasson, Mills, Morrison, Peet, Pratt, Reed, Sandry, Secor, Teale, Van Deventer, Whitten, and Wood, of Clay—Total, 21.

So the bill passed and the title was agreed to.

On motion of Mr. Campbell, H. F. No. 231, A bill for an act to regulate the assessment on pork packers and commission merchants, with report of committee recommending a substitute, was taken up and considered.

Mr. Stow moved to strike out the last proviso.

The motion did not prevail.

The bill was ordered engrossed, and read a third time.

Mr. Caldwell moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Appleton, Ballinger, Beatty, of Jasper; Bergh, Blakely, Booth, Caldwell, Campbell, Cardell, Carver, Clarke, of Iowa; Day, Draper, Duncombe, Durham, Ericson, Evans, Goodspeed, Green, Hanson, Heberling, Irish, Keables, Leahy, Maxwell, McAllister, McCoy, Perkins, Reuther, Rice, Rohlf, Tufts, Tuttle, Williams, Wilson, of Keokuk; Wilson, of Washington; and Mr. Speaker—Total, 37.

The nays were—

Messrs. Ainsworth, Beatty, of Cedar; Beresheim, Butler, Cadwell, Clark, of Benton; Close, Crawford, Danforth, Davis, Dumont, Duncan, Ellsworth, Freeman, Gear, Hall, Hilton, Hopkirk, Lee, Litzenberg, McClure, Merrell, Miller, Newbold, Paul, Reed, Rule, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Van Meter, Van Saun, Wood, of Story; Wright, of Mills; and Wright, of Van Buren—Total, 40.

Absent or excused—

Messrs. Blackman, Blake, Bliss, Bonewitz, Christoph, Davisson, Dayton, Flenniken, Hanan, Hewett, Hovey, Johnston, Kasson, Mills, Morrison, O'Donnell, Peet, Pratt, Sandry, Teale, Van Deventer, Whitten, and Wood, of Clay—Total, 23.

So the bill not receiving a constitutional number of votes was declared lost.

#### REPORTS OF COMMITTEES.

Mr. Bergh, from Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER :—The Committee on Enrolled Bills ask leave to report that they have examined the following bills and find the same correctly enrolled :

H. F. No. 437, A bill for an act to amend chapter 92 of the acts of the Eleventh General Assembly.

Also, H. F. No. 395, A bill for an act for the relief of the Orphan Asylum at Andrew, Jackson county, Iowa.

Also, H. F. No. 359, A bill for an act to authorize the construction of water-works.

KNUT E. BERGH, *Chairman, pro tem.*

Mr. Bergh, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER :—The Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bills, viz:

H. F. No. 296, An act to promote water-power improvements.

Also, H. F. No. 163, An act to protect the insane.

Also, H. F. No. 438, An act to locate the Iowa Reform School.

Also, H. F. No. 357, An act providing for the return of poll books.

Also, H. F. No. 17, An act to amend chapter 8 laws of Thirteenth General Assembly.

KNUT E. BERGH, *Chairman, pro tem.*

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate.

MR. SPEAKER :—I am directed to inform your honorable body that the Senate has passed the following bills without amendment:

Substitute for H. F. No. 226, A bill for an act in relation to land grant lands, and to provide for a record title thereto.

I am also directed to inform your honorable body that the Senate has passed the following bills, with amendments.

Substitute for H. F. No. 80, A bill for an act to abolish the death penalty. Strike out all of the bill after the enacting clause, and insert the substitute attached to the bill.

Also, H. F. No. 343, A bill for an act to amend chapter 143, of the acts of the Eleventh General Assembly, in relation to schools, in which amendments the concurrence of the House is asked.

Also, without amendment, H. F. No. 395, A bill for an act for the relief of the Asylum for Destitute and Orphan Children, at Andrew, Iowa.

W. L. VESTAL, *1st Ass't. Secretary.*

On motion of Mr. Irish, H. F. No. 11, A bill for an act to amend an act passed by the Ninth General Assembly, &c., in relation to revenue, with report of committee recommending that it do not pass, was taken up and considered.

Mr. Irish moved to suspend the rule and put the bill upon its passage.

The motion did not prevail.

Mr. Clark, of Benton, moved to strike cut "30," and insert "20."

The motion did not prevail.

Mr. Davisson moved to amend the amendment by striking out "20," and inserting "15."

The motion prevailed.

The amendment as amended did not prevail.

Mr. Campbell moved to amend by striking out "10," and inserting "20."

Mr. Irish moved to amend the amendment by striking out "20," and inserting "15," and demanded the yeas and nays, which were as follows :

The yeas were—

Messrs. Blakely, Campbell, Clarke, of Iowa ; Duncan, Freeman, Hall, Hilton, Irish, McCoy, O'Donnell, Paul, Rice, Rohlf, Schweer, Secor, Stewart, Tuttle, Wilson, of Keokuk ; Wood, of Story—Total, 19.

The nays were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar ; Beatty, of Jasper ; Beresheim, Bergh, Blackman, Booth, Cadwell, Caldwell, Cardell, Carver, Clark, of Benton ; Close, Crawford, Danforth, Davis, Day, Dayton, Dumont, Duncombe, Durham, Ellsworth, Ericson, Evans, Gear, Goodspeed, Green, Hanson, Heberling, Hopkirk, Keables, Leahy, Lee, Litzenbergh, McAllister, McClure, Merrell, Miller, Newbold, Perkins, Reed, Reuther, Rule, Skillin, Stedman, Stow, Struthers, Tasker, Tufts, Van Meter, Van Saun, Williams, Wilson, of Washington ; Wright, of Mills ; and Mr. Speaker—Total, 57.

Absent or excused --

Messrs. Blake, Bliss, Bonewitz, Butler, Christoph, Davisson, Draper, Flenniken, Hanan, Hewett, Hovey, Johnston, Kasson, Maxwell, Mills, Morrison, Peet, Pratt, Sandry, Teale, Van Deventer, Whitten, Wood, of Clay ; and Wright, of Van Buren—Total, 24.

So the amendment did not prevail.

On the adoption of the amendment, Mr. Campbell demanded the yeas and nays, which were as follows :

The yeas were—

Messrs. Ballinger, Beatty, of Cedar; Beatty, of Jasper; Blakely, Caldwell, Campbell, Carver, Clark, of Benton; Clarke, of Iowa; Danforth, Davisson, Day, Dumont, Duncan, Durham, Ellsworth, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hilton, Hopkirk, Irish, Keables, Lee, McAllister, McCoy, Merrell, Miller, Newbold, O'Donnell, Paul, Reed, Rice, Rohlf, Rule, Schweer, Stewart, Tuttle, Van Saun, Wilson, of Keokuk; Wood, of Story; Wright, of Mills; and Mr. Speaker--Total, 47.

The nays were—

Messrs. Ainsworth, Appleton, Beresheim, Bergh, Blackman, Booth, Butler, Cadwell, Cardell, Close, Crawford, Davis, Duncombe, Ericson, Evans, Leahy, Litzenberg, Maxwell, McClure, Perkins, Reuther, Secor, Skillin, Stedman, Stow, Struthers, Tasker, Tufts, Van Meter, Williams, Wilson, of Washington; and Wright, of Van Buren—Total, 32.

Absent or excused—

Messrs. Blake, Bliss, Bonewitz, Christoph, Dayton, Draper, Flenniken, Hanan, Hewett, Hovey, Johnston, Kasson, Mills, Morrison, Peet, Pratt, Sandry, Teale, Van Deventer, Whitten, and Wood, of Clay—Total, 21.

So the amendment prevailed.

The House ordered the bill engrossed and to be read a third time.

Mr. Bergh, from Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bills, viz:

H. F. No. 437, An act to amend chapter 92, of the acts of the Eleventh General Assembly.

Also, H. F. No. 395, An act for the relief of the Asylum at Andrew.

Also, H. F. No. 359, An act authorizing cities and incorporated towns to construct water works.

KNUT E. BERGH, *Chairman pro tem.*

H. F. No. 367, A bill for an act to amend chapter 26, laws of the Thirteenth General Assembly, with report of committee recommending a substitute, was taken up and considered.

The substitute was adopted.

Mr. Duncan moved to reconsider the vote by which the substitute was adopted.

The motion prevailed.

Mr. Leahy offered the following amendment:

Add to section 9, chapter 26, acts of the Thirteenth General

Assembly: The *provisions* of this act shall not affect the law of partition fences or the law of railroad fences.

The hour of adjournment having arrived the Speaker announced the house adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, April 20, 1872. }

The House convened pursuant to adjournment.

The Speaker in the chair.

Prayer by Rev. T. O. Rice.

Mr. Merrell moved that the reading of the journal be dispensed with.

The motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following bills, in which the concurrence of the House is asked:

S. F. No. 234, A bill for an act apportioning the State of Iowa into Senatorial Districts.

Also, S. F. No. 271, A bill for an act providing for the revision and amendment of the statutes by a commission, and providing for a publication thereof.

J. A. T. HULL, *Secretary*.

Mr. Bergh, from Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills ask leave to report that they have examined the following bills, and find the same correctly enrolled:

H. F. No. 107, A bill for an act to provide for the transfer of taxes levied for railroad purposes.

Also, H. F. No. 226, A bill for an act in relation to land grant lands, and to provide a record title thereto.

KNUT E. BERGH, *Chairman, pro tem*.

UNFINISHED BUSINESS.

H. F. No. 337, A bill for an act to amend chapter 26, laws of the 18th General Assembly, was further considered.

By leave Mr. Leahy withdrew his amendment.

Mr. Close offered a substitute for the substitute.

The substitute was adopted.

Mr. Close moved that the rule be suspended, that the bill be considered engrossed, and read a third time now; the motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Cedar; Bergh, Blackman, Blakely, Booth, Cadwell, Caldwell, Campbell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Day, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hopkirk, Irish, Johnston, Keables, Leahy, Litzenberg, McAllister, McCoy, McClure, Merrell, Miller, Mills, Newbold, O'Donnell, Perkins, Reed, Reuther, Rice, Rohlf, Rule, Schweer, Secor, Skillin, Stedman, Stewart, Struthers, Tasker, Tuttle, Tufts, Van Meter, Van Saun, Williams, Wilson, of Keokuk; Wilson, of Washington; Wright, of Mills; Wright, and of Van Buren—Total, 69.

The nays were—

Messrs. Beatty, of Jasper; Bresheim, Davis, Davisson, Hilton, Lee, Stow, and Mr. Speaker—Total, 8.

Absent or excused—

Messrs. Ballinger, Blake, Bliss, Bonewitz, Butler, Christoph, Dayton, Flenniken, Hanan, Hewett, Hovey, Kasson, Maxwell, Morrison, Paul, Peet, Pratt, Sandry, Teale, Van Deventer, Whitten, Wood, of Clay and Wood, of Story.—Total, 23.

So the bill passed and the title was agreed to.

#### MESSAGES ON THE SPEAKER'S TABLE.

The Senate resolution in regard to adjournment was taken up and concurred in.

The resolution in regard to furnishing Supreme Court reports to members was taken up and read.

Mr. Campbell offered the following substitute:

That the Secretary of State be requested to procure and deliver to the members of this General Assembly for their use, the following articles, viz.:

To each of the thirty-one lawyers of the General Assembly one copy of the Supreme Court reports, issued during his term of service.

To each of the ninety-five farmers, one shovel plow.

To each of the two nursery men one grafting knife and one ball of grafting wax.

To each of the two stock dealers, one drover's whip.



To each of the two millers, one honest toll dish.

To each of the eight doctors, one scalpel.

To each of the six editors, one pair of scissors.

To each of the four lumber dealers, one elastic tape line.

The substitute was not adopted.

Mr. Blakely moved that the resolution be indefinitely postponed, and demanded the yeas and nays which were as follows :

The yeas were—

Messrs. Appleton, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blakely, Booth, Cadwell, Caldwell, Campbell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Day, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Freeman, Goodspeed, Hanson, Hilton, Hopkirk, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, Maxwell, McCoy, Merrell, Miller, Mills, Newbold, Perkins, Reed, Rice, Rule, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Tufts, Van Meter, Van Saun, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story, Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 66.

The nays were—

Messrs. Ainsworth, Ballinger, Davisson, Gear, Green, Hall, Heberling, Irish, McAllister, McClure, O'Donnell, Reuther, Rohlf, and Williams—Total, 14.

Absent or excused—

Messrs. Blake, Bliss, Bonewitz, Butler, Christoph, Dayton, Fleniken, Hanan, Hewett, Hovey, Morrison, Paul, Peet, Pratt, Sandry, Teale, Tuttle, Van Deventer, Whitten, and Wood, of Clay—Total, 20.

So the motion to indefinitely postpone prevailed.

H. F. No. 387, A bill for an act to legalize the action of the board of supervisors of Emmet county, &c., was taken up and considered.

On the adoption of the Senate amendments the yeas and nays were as follows :

The yeas were—

Messrs. Ainsworth, Beatty, of Cedar; Beatty, of Jasper; Bergh, Blackman, Blakely, Booth, Cadwell, Campbell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Crawford, Danforth, Davis, Day, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Freeman, Gear, Green, Hall, Hanson, Heberling, Hilton, Johnston, Kasson, Keables, Litzenberg, Maxwell, McCoy, Merrell, Miller, Mills, Newbold, O'Donnell, Perkins, Rice, Rohlf, Rule, Sandry, Schweer, Skillin, Stow, Tufts, Tuttle, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story; Wright, of Mills, Wright, of Van Buren; and Mr. Speaker—Total, 58.

The nays were—

Messrs. Beresheim, Close, Davisson, Goodspeed, Hopkirk, McAllister, Reuther, Stedman, Stewart, and Van Saun—Total, 10.

Absent or excused—

Messrs. Appleton, Ballinger, Blake, Bliss, Bonewitz, Butler, Caldwell, Christoph, Dayton, Draper, Evans, Flenniken, Hanan, Hewett, Hovey, Irish, Leahy, Lee, McClure, Morrison, Paul, Peet, Pratt, Reed, Secor, Struthers, Tasker, Teale, Van Deventer, Van Meter, Whitten, and Wood, of Clay—Total, 32.

So the Senate amendment to H. F. No. 887, was concurred in.

H. F. No. 348, A bill for an act to amend chapter 143 of the acts of the Eleventh General Assembly in relation to schools, was taken up and considered, with Senate amendments.

On the adoption of the Senate amendments the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beresheim, Bergh, Blackman, Blakely, Booth, Cadwell, Caldwell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Davisson, Day, Dayton, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Hilton, Hopkirk, Irish, Johnston, Kasson, Leahy, Lee; Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Miller, Mills, Newbold, O'Donnell, Perkins, Reed, Reuther, Rice, Rohlf, Rule, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Tufts, Tuttle, Van Meter, Van Saun, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 77.

The nays were none.

Absent or excused—

Messrs. Beatty, of Jasper; Blake, Bliss, Bonewitz, Butler, Campbell, Christoph, Draper, Flenniken, Hanan, Heberling, Hewett, Hovey, Keables, Morrison, Paul, Peet, Pratt, Sandry, Teale, Van Deventer, Whitten, and Wood, of Clay—Total, 23.

So the Senate amendments to H. F. No. 348 were concurred in.

H. F. No. 80, A bill for an act to abolish the penalty of death, was taken up and considered.

On motion of Mr. Ainsworth the bill was passed upon the file.

S. F. No. 279, A bill for an act supplemental to an act providing for the permanent location of the State Reform School.

Was read a first and second time.

Mr. Goodspeed moved that the bill be referred to Committee on Reform School.

The motion prevailed.

S. F. No. 234, A bill for an act apportioning the State into senatorial districts, was read a first and second time and referred to Committee on Senatorial Districts.

S. F. No. —, A bill for an act providing for the revision and amendment of the statutes, &c., was read a first and second time and referred to Judiciary Committee.

REPORTS OF COMMITTEES.

Mr. Dumont, from Committee on Senatorial Districts, submitted the following report:

MR. SPEAKER:—Your Committee on Representative and Senatorial Districts, to whom was referred S. F. No. 236, A bill for an act apportioning the State of Iowa into representative districts and declaring the rate of representation, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the accompanying substitute, with the recommendation that the substitute do pass.

S. B. DUMONT, *Chairman.*

On motion of Mr. Leahy, S. F. No. 236, A bill for an act to apportion the State into representative districts, &c., with report of committee recommending amendments, was taken up and considered.

The amendments recommended by the committee were adopted.

Mr. Green moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Appleton, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blakely, Booth, Cadwell, Caldwell, Cardell, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Davisson, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Freeman, Gear, Goodspeed, Green, Hanson, Heberling, Hewett, Hopkirk, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Miller, Mills, Newbold, Perkins, Reuther, Rice, Rohlf, Schweer, Secor, Stedman, Struthers, Tufts, Van Meter, Van Saun, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 65.

The nays were—

Messrs. Ainsworth, Ballinger, Draper, Hall, Hilton, Irish, O'Donnell, Skillin, and Stewart—Total, 9.

Absent or excused—

Messrs. Blake, Bliss, Bonewitz, Butler, Carver, Campbell, Christoph, Day, Dayton, Flenniken, Hanan, Hovey, Morrison, Paul,

Peet, Pratt, Reed, Rule, Sandry, Stow, Tasker, Teale, Tuttle, Van Deventer, Whitten, and Wood, of Clay—Total, 26.

So the bill passed and the title was agreed to.

Mr. Kasson, from the Committee on Ways and Means, submitted the following report :

MR. SPEAKER :—Your Committee on Ways and Means, to whom was referred substitute for S. F. No. 30, A bill for an act to repeal chapter 118 of the laws of the Eleventh General Assembly, and to provide a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with a substitute therefor, with the recommendation that the substitute do pass.

They find the bill referred to them makes provisions more burdensome and oppressive than those of chapter 118 of the laws of the Eleventh General Assembly, and if adopted would probably cost the State considerably more than the \$75,000 estimated by the Auditor for the current fiscal term. The substitute proposed by this committee provides for the gratuitous distribution of 50,000 copies of the laws in printed slips, for the information of the electors of this State. This can be done at a cost of less than \$2,500 for the 50,000 copies, and will, in their judgment, much more effectually bring knowledge of the laws home to the people and in a form to be more conveniently preserved for reference. The substitute also provides for the publication of the laws in pamphlet form.

JOHN A. KASSON, *Chairman.*

On motion of Mr. Ellsworth, S. F. No. 30, A bill for an act amendatory to chapter 118, laws of the Eleventh General Assembly, &c., with report of committee recommending a substitute, was taken up and considered.

The substitute was adopted.

Mr. Ellsworth moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, " Shall the bill pass ? " the yeas and nays were as follows :

The yeas were—

Messrs. Ainsworth, Ballinger, Beatty, of Cedar ; Beatty, of Jasper ; Bergh, Blakely, Cadwell, Caldwell, Campbell, Carver, Clark, of Benton ; Clarke, of Iowa ; Close, Crawford, Danforth, Davis, Day, Draper, Duncan, Durham, Ellsworth, Evans, Freeman, Gear, Goodspeed, Hall, Hanson, Hilton, Hopkirk, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, McClure, McCoy, Miller, Newbold, Reed, Rice, Schweer, Stedman, Stewart, Tasker, Tufts, Van Meter, Van Saun, Wilson, of Washington ; Wood, of Story ; Wright, of Mills ; and Wright, of Van Buren—Total, 52.

The nays were—

Messrs. Appleton, Beresheim, Blackman, Davisson, Dumont, Duncombe, Ericson, Green, Heberling, Hewett, Irish, Maxwell, McAllister, Merrell, O'Donnell, Paul, Perkins, Renther, Rohlf, Rule, Secor, Skillin, Stow, Struthers, Tuttle, Williams, Wilson, of Keokuk; and Mr. Speaker—Total, 28.

Absent or excused—

Messrs. Blake, Bliss, Bonewitz, Butler, Booth, Cardell, Christoph, Dayton, Flenniken, Hanan, Hovey, Mills, Morrison, Peet, Pratt, Sandry, Teale, Van Deventer, Whitten, and Wood, of Clay—Total, 20.

Mr. Kasson moved to amend the title so that it shall read as follows:

A bill for an act amendatory of chapter 118 of the laws of the Eleventh General Assembly, and providing for the publication of the laws of this State.

The motion prevailed, and the title, as amended, was adopted.

By leave Mr. Blackman introduced H. F. No. 445, A bill for an act to legalize the acts of the mayor, trustees, and recorder of the town of Osage.

The bill was read a first and second time.

Mr. Blackman moved that the rule be suspended and the bill be considered, engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Bergh, Blackman, Blakely, Booth, Cadwell, Caldwell, Campbell, Cardell, Carver, Clark, of Benton; Close, Crawford, Danforth, Davisson, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hilton, Hopkirk, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, McAllister, McClure, McCoy, Merrell, Miller, Newbold, O'Donnell, Paul, Reed, Renther, Rice, Rohlf, Schweer, Stedman, Stow, Struthers, Tufts, Tuttle, Van Meter, Van Saun, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story; Wright, of Mills; Wright, of Van Buren and Mr. Speaker—Total, 71.

The nays were none.

Absent or excused—

Messrs. Beresheim, Blake, Bliss, Bonewitz, Butler, Christoph, Clarke, of Iowa; Davis, Flenniken, Hanan, Hewett, Hovey, Irish, Maxwell, Mills, Morrison, Peet, Perkins, Pratt, Rule, Sandry, Secor, Skillin, Stewart, Tasker, Teale, Van Deventer, Whitten, and Wood, of Clay.—Total, 29.

So the bill passed and the title was agreed to.

Mr. Duncan presented a petition from the citizens of Louisa

county, remonstrating against any change in the senatorial district for said county.

Referred to Committee on Senatorial Districts.

By leave Mr. O'Donnell called up S. F. No. 239, which was referred to Committee on Judiciary.

By leave Mr. Caldwell called up S. F. No. 82, A bill for an act for the purchase or improvement of agricultural fair grounds.

Mr. Hall moved to recommit the bill to Committee on Agriculture.

The motion did not prevail.

Mr. Merrill moved to amend by striking out "county seat," and inserting "the geographical center of the county."

The amendment did not prevail.

The House refused to order the bill engrossed.

The joint resolution in regard to improving State grounds, was taken up and considered.

The amendment recommended by the committee was adopted.

On the adoption of the resolution the yeas and nays were demanded, which were as follows :

The yeas were—

Messrs. Ainsworth, Beatty, of Cedar; Blakely Booth, Caldwell, Campbell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Davis, Dayton, Draper, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Gear, Goodspeed, Hanson, Heberling, Hopkirk, Irish, Johnston, Kasson, Keables, Leahy, Lee, Maxwell, McAllister, McClure, Miller, Newbold, O'Donnell, Renter, Rice, Schweer, Skillin, Stedman, Stewart, Struthers, Tufts, Tuttle, Van Meter, Williams, Wilson, of Keokuk; Wilson, of Washington; Wright, of Mills; and Wright, of Van Buren.—Total, 52.

The nays were—

Messrs. Appleton, Beatty, of Jasper; Beresheim, Caldwell, Danforth, Davisson, Day, Dumont, Freeman, Green, Hall, Hilton, McCoy, Merrell, Mills, Paul, Reed, Rule, Secor, Tasker, Van Saun, Wood, of Story; and Mr. Speaker—Total, 23.

Absent or excused—

Messrs. Ballinger, Bergh, Blackman, Blake, Bliss, Bonewitz, Butler, Cardell, Christoph, Flenniken, Hanan, Hewett, Hovey, Litzenberg, Morrison, Peet, Perkins, Pratt, Rohlf, Sandry, Stow, Teale, Van Deventer, Whitten, and Wood, of Clay—Total, 25.

So the resolution was adopted.

H. F. No. 406, A bill for an act to amend section 2, chapter 15 of the laws of the 10th General Assembly, etc., was taken up and considered.

On motion of Mr. Close the bill was indefinitely postponed.

H. F. No. 393, A bill for an act to legalize the acts of the board of school directors of the independent school district of New Cherokee, etc., with report of committee, was taken up and considered.



On motion of Mr. Campbell the bill was passed on the file.

H. F. No. 358, A bill for an act to amend section 3293 of the revision of 1860 was taken up and read a first and second time.

The bill was ordered to be read a third time.

Mr. Newbold moved that the rule be suspended and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Beatty of Cedar; Beresheim, Blakely, Booth, Cadwell, Caldwell, Clark of Benton; Crawford, Ericson, Evans, Freeman, Hanson, Hewitt, Hilton, Keables, Leahy, McCoy, Merrell, Miller, Mills, O'Donnell, Stedman, Stow, Struthers, Tuttle, Van Saun, Williams, Wilson of Washington; Wood of Story; Mr. Speaker.—Total, 80.

The nays were—

Messrs. Ainsworth, Appleton, Bergh, Blackman, Campbell Clarke of Iowa; Close, Danforth, Davis, Davisson, Day, Dayton, Dumont, Duncan, Duncombe, Durham, Ellsworth, Gear, Goodspeed, Green, Hall, Heberling Hopkirk, Irish, Johnston, Kasson, Lee, Litzenberg, Maxwell, McAllister, Newbold, Paul, Perkins, Reuther, Rice, Rohlf, Rule, Schweer, Secor, Skillin, Stewart, Tasker, Tufts, Van Meter, Wilson, of Keokuk; Wright, of Mills; and Wright, of Van Buren.—Total, 48.

Absent or excused—

Messrs. Ballinger, Beatty of Jasper; Blake, Bliss, Bonewitz, Butler, Cardell, Carver, Christoph, Draper, Flenniken, Hanan, Hovey, McClure, Morrison, Peet, Pratt, Sandry, Teale, Van Deventer, Whitten, and Wood of Clay.—Total, 22.

So the bill not receiving a constitutional number of votes, it was declared lost.

H. F. No. 5, A bill for an act to insure the better professional education of practitioners of dentistry, with report of committee recommending amendments, was taken up and considered.

The amendment recommended by the committee was adopted.

Mr. Hall moved to amend the first section by striking out of 7th line "10" and insert "5."

The amendment prevailed.

Mr. Hall moved to amend the publication clause as follows:

Together with the acceptance of the duties of this act by said Iowa State Dental Society.

The amendment was adopted.

The House ordered the bill engrossed and read a third time.

Mr. Davisson moved that the rule be suspended, the bill be considered engrossed, and read a third now, which prevailed, and the bill was read a third time.

The motion prevailed.



The bill was read a third time.

On the question, " Shall the bill pass? " the yeas and nays were as follows :

The yeas were—

Messrs. Appleton, Beresheim, Cadwell, Campbell, Cardell, Clark, of Benton; Day, Draper, Ellsworth, Gear, Irish, Kasson, Keables, Leahy, Maxwell, McAllister, Mills, O'Donnell, Paul, Perkins, Reuther, Rohlf, Secor, Tuttle, Williams, Wright, of Mills; and Mr. Speaker.—Total, 27.

The nays were—

Messrs. Ainsworth, Beatty, of Cedar; Bergh, Blackman, Blakely, Caldwell, Clarke, of Iowa; Close, Crawford, Danforth, Davis, Davisson, Dumont, Duncan, Durcombe, Durham, Ericson, Evans, Freeman, Goodspeed, Green, Hanson, Heberling, Hewett, Hilton, Hopkirk, Johnston, Lee, Litzenberg, McClure, McCoy, Merrell, Miller, Newbold, Reed, Rice, Rule, Schweer, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Tutts, Van Meter, Van Sann, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story; and Wright, of Van Buren—Total, 51.

Absent or excused—

Messrs. Ballinger, Beatty, of Jasper; Blake, Bliss, Bonewitz, Booth, Butler, Carver, Christoph, Dayton, Flenniken, Hall, Hanan, Hovey, Morrison, Peet, Pratt, Sandry, Teale, Van Deventer, Whitten, and Wood, of Clay—Total, 22.

So the bill not receiving a constitutional number of votes, was declared lost.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following bills, in which the concurrence of the House is asked:

Sub. for S. F. No. 204, A bill for an act for the improvement of the Penitentiary at Ft. Madison.

S. F. No. 281, A bill for an act fixing the time of holding district and circuit courts in the 13th judicial district.

Also, without amendment:

H. F. No. 219, A bill for an act to pay John Garaghty for legal services performed for the State of Iowa.

J. A. T. HULL, *Secretary*.

H. F. No. 293, A bill for an act providing for the better security of the State penitentiary, &c., with report of committee recommending its passage, was taken up and considered.

Mr. Williams moved to strike out all of the 1st section after the word penitentiary in the 8d line.

The motion prevailed.

Mr. Close moved to strike out the five hundred dollars.

The amendment did not prevail.

Mr. Williams moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beresheim, Bergh, Booth, Cadwell, Clark, of Benton; Clarke, of Iowa; Davis, Dayton, Dumont, Duncombe, Durham, Ellsworth, Ericson, Freeman, Gear, Goodspeed, Hanson, Heberling, Hewett, Irish, Keables, Lee, McCoy, Mills, Newbold, O'Donnell, Paul, Perkins, Rohlf, Schweer, Skillin, Stedman, Stewart, Struthers, Tasker, Tufts, Williams, Wilson, of Keokuk; Wilson, of Washington; and Mr. Speaker—Total, 43.

The nays were—

Messrs. Beatty, of Jasper; Blakely, Caldwell, Campbell, Close, Crawford, Davisson, Day, Draper, Duncan, Green, Hilton, Hopkirk, Johnston, Leahy, Litzenberg, McAllister, McClure, Merrell, Miller, Renther, Rice, Stow, Van Meter, Van Saun, Wood, of Story; Wright, of Mills; and Wright, of Van Buren—Total, 28.

Absent or excused—

Messrs. Beatty, of Cedar; Blackman, Blake, Bliss, Bonewitz, Butler, Cardell, Carver, Christoph, Danforth, Evans, Flenniken, Hanan, Hall, Hovey, Kasson, Maxwell, Morrison, Peet, Pratt, Reed, Rule, Sandry, Secor, Tuttle, Teale, Van Deventer, Whitten, and Wood, of Clay—Total, 29.

So the bill not having received a constitutional majority was declared lost.

S. F. No. 219, A bill for an act providing for the acknowledging and recording of deeds, with report of committee recommending amendments, was taken up and considered.

The amendments recommended by the committee were adopted.

Mr. Ainsworth moved that the rule be suspended and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blakely, Booth, Cadwell, Caldwell, Cardell, Carver, Clarke, of Iowa; Close, Crawford, Davis, Davisson, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hilton, Irish, Kasson, Keables, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure,

McCoy, Miller, Newbold, O'Donnell, Paul, Perkins, Reed, Rice, Rohlf, Rule, Schweer, Secor, Skillin, Stewart, Stow, Struthers, Tufts, Van Meter, Van Saun, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story; Wright, of Van Buren; and Mr. Speaker---Total, 70.

The nays were none.

Absent or excused---

Messrs. Blackman, Blake, Bliss, Bonewitz, Butler, Campbell, Christoph, Clark, of Benton; Danforth, Flenniken, Hanan, Hopkirk, Hovey, Johnston, Merrell, Mills, Morrison, Peet, Pratt, Reuther, Sandry, Stedman, Tasker, Teale, Tuttle, Van Deventer, Whitten, Williams, Wood, of Clay; and Wright, of Mills.---Total, 30.

So the bill passed and the title was agreed to.

#### REPORTS OF COMMITTEES.

Mr. Kasson from the Committee on Ways and Means submitted the following report :

MR. SPEAKER:—Your Committee on Ways and Means, to whom was referred a resolution instructing the committee to enquire into the expediency of reducing the amounts allowed to members of the General Assembly for postage and stationery, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with a bill covering the points named, and the recommendation that it do pass.

JNO. A. KASSON, *Chairman.*

The hour of 12 M having arrived, the Speaker declared the House adjourned.

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TWO O'CLOCK, P. M.

House called to order by the Speaker.

Mr. Bergh from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER—The committee on enrolled bills ask leave to report that they have examined the following Senate bills and find the same correctly enrolled :

S. F. No. 28, A bill for an act to prevent frequent changes in school books.

S. F. No. 241, A bill for an act to legalize the gift, grant, sale and conveyances of certain lands located with the scrip issued to Johnson county as indemnity for swamp land.

S. F. No. 263, A bill for act to remove the disabilities of Mordecai Cropper and to restore him to the rights of citizenship.

S. F. No. 77, A bill for an act to repeal section 3275 of the revision of 1860, and chapter 43, acts of the 13th General Assembly, and enact a new section in lieu thereof.

S. F. No. 117, A bill for an act to promote the science of medicine and surgery in the State of Iowa.

S. F. No. 278, A bill for an act to legalize certain acts of the board of directors of the district township of Dover, Pocahontas county, Iowa.

S. F. No. 137, A bill for an act to prevent the unlawful driving away of stock.

KNUT E. BERGH, *Chairman pro tem.*

On motion of Mr. Hilton, H. F. No. 46, A bill for an act fixing the salaries of county officers with report of committee recommending amendments was taken up and considered.

The amendment recommended by the committee was adopted.

The House refused to order the bill engrossed and read a third time.

On motion of Mr. Hall, H. F. No. 446, A bill for an act authorizing the appointment of short hand reporters for district and circuit courts, with report of committee recommending its passage, was taken up and considered.

Read a first and second time.

Mr. Hall moved that the blank be filled by \$8 per day.

The amendment was adopted.

Mr. Davis moved to amend the 3d section by striking out "record," and inserting "short-hand report."

The amendment did not prevail.

Mr. Hilton moved to amend as follows: Strike out the word "attendance," in fourth line, 2d section, and insert "actually employed in taking down testimony."

The amendment was adopted.

Mr. Duncombe moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beresheim, Bergh, Booth, Caldwell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Davis, Day, Dayton, Duncan, Duncombe, Ellsworth, Evans, Freeman, Gear, Green, Hall, Hanson, Heberling, Hewett, Irish, Johnston, Keables, Lee, Litzenberg, McAllister, McClure, Merrell, Miller, Mills, Newbold, O'Donnell, Paul, Perkins, Reuther, Secor, Skillin, Stedman, Stow, Struthers, Tufts, Tuttle, Van Meter, Van

Saun, Williams, Wilson, of Keokuk; Wilson, of Washington; and Mr. Speaker—Total, 53.

The nays were—

Messrs. Beatty, of Cedar; Beatty of Jasper; Blackman, Blakely, Cadwell, Close, Crawford, Danforth, Davisson, Draper, Dumont, Durham, Goodspeed, Hilton, Hopkirk, McCoy, Reed, Rice, Schweer, Stewart, Tasker, Wood, of Story; and Wright, of Van Buren—Total, 22.

Absent or excused—

Messrs. Blake, Bliss, Bonewitz, Butler, Campbell, Christoph, Ericson, Flenniken, Hanan, Hovey, Kasson, Leahy, Maxwell, Morrison, O'Donnell, Peet, Pratt, Rohlf, Rule, Sandry, Teale, Van Deventer, Whitten, Wood, of Clay; and Wright, of Mills—Total, 25.

So the bill passed, and the title was agreed to.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following bills and resolutions, in which the concurrence of the House is asked :

S. F. No. 269, A bill for an act to provide for the publication and distribution of the laws of the regular session of the Fourteenth General Assembly.

Also, S. F. No. 282, A bill for an act to amend chapter 138 of the acts of the Fourteenth General Assembly, and attaching Webster county to the Eleventh Judicial District.

Also, S. F. No. 267, A bill for an act amendatory of the school laws of the State, and relative to the formation of independent school districts in certain cases.

Also, S. F. No. 283, A bill for an act to legalize the sale of certain school lands in Wayne county, Iowa, by the clerk of the board of supervisors.

Also, S. F. No. 165, A bill for an act to provide for the further collection of taxes by township collectors in certain cases.

Also, concurrent resolution instructing the Attorney-General to inquire into the propriety of commencing suit for damage against parties connected with the construction of the new State capitol.

Also, That the Senate has concurred in House amendments to S. F. Nos. 160, 270, 238, and 236.

Also, concurrent resolution authorizing the Secretary of State to purchase paper for board of immigration.

I am directed to inform your honorable body that the Senate has passed the following bill without amendment:

H. F. No. 238, A bill for an act to provide for the exemption of land owners to pay taxes on land which they have conveyed to railroad companies.

Also, that the Senate has appointed Senators West, Read, and Fairall, as a conference committee on the part of the Senate on the disagreeing vote of the two houses on S. F. No. 84.

J. A. T. HULL, *Secretary*.

Mr. Bergh, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER:—The Committee on Enrolled Bills ask leave to report that they have examined the following bills, and find the same correctly enrolled :

H. F. No. 219, A bill for an act for the relief of John Garaghty.

Also, H. F. No. 387, A bill for an act to legalize the doings of the board of supervisors of Emmet county, Iowa.

Also, H. F. No. 343, A bill for an act to amend chapter 143 of the acts of Eleventh General Assembly, in relation to schools.

Also, H. F. No. 181, A bill for an act for the relief of occupying claimants of lands granted to the State of Iowa.

KNUT E. BERGH, *Chairman pro tem*.

S. F. No. 243, A bill for an act to legalize the organization of the town of Ames, Iowa, with report of committee recommending its passage was taken up and considered.

Mr. Wood, of Story, moved that the rule be suspended and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, " Shall the bill pass ? " the yeas and nays were as follows :

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar ; Beatty, of Jasper ; Beresheim, Bergh, Blakely, Booth, Cadwell, Caldwell, Cardell, Clark, of Benton ; Clarke, of Iowa ; Close, Crawford, Danforth, Davisson, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Irish, Johnston, Keables, Litzenberg, McAllister, McClure, McCoy, Merrell, Miller, Mills, Newbold, O'Donnell, Paul, Perkins, Reed, Reuther, Rice, Rohlf, Schweer, Secor, Skillin, Stedman, Stow, Struthers, Tasker, Tufts, Tuttle, Van Meter, Van Saun, Wilson, of Keokuk ; Wilson, of Washington ; Wood, of Story ; Wright, of Van Buren ; and Mr. Speaker—Total, 71.

The nays were none.

Absent or excused—

Messrs. Backman, Blake, Bliss, Bonewitz, Butler, Campbell, Carver, Christoph, Davis, Evans, Flenniken, Hanan, Hovey, Kasson, Leahy, Lee, Maxwell, Morrison, Peet, Pratt, Rule, Sandry,

Stewart, Teale, Van Deventer, Whitten, Williams, Wood, of Clay; and Wright, of Mills—Total, 29.

So the bill passed and the title was agreed to.

S. F. No. 151, A bill for an act to amend chapter 172, of the acts of the Ninth General Assembly in relation to schools, etc., with report of committee recommending amendments, was taken up and considered.

The amendments recommended by the committee were adopted.

Mr. Bergh moved that the rule be suspended and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blakely, Booth, Cadwell, Caldwell, Campbell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Davisson, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Freeman, Gear, Goodspeed, Hall, Hanson, Heberling, Hilton, Hopkirk, Irish, Leahy, Litzenberg, McAllister, McClure, McCoy, Merrell, Miller, Mills, Newbold, O'Donnell, Paul, Perkins, Reed, Renther, Rohlf, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Tufts, Tuttle, Van Meter, Van Saun, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 73.

The nays were none.

Absent or excused—

Messrs. Ainsworth, Blackman, Blake, Bliss, Bonewitz, Butler, Christoph, Flenniken, Green, Hanan, Hewett, Hovey, Johnston, Kasson, Keables, Lee, Maxwell, Morrison, Peet, Pratt, Rice, Rule, Sandry, Teale, Van Deventer, Whitten, and Wood, of Clay—Total, 27.

So the bill passed and the title was agreed to.

#### REPORT OF COMMITTEE.

Mr. Carver from Committee on Reform School submitted the following report:

MR. SPEAKER:—Your Committee on Reform School to whom was referred S. F. No. 279, A bill for an act supplemental to an act providing for the location of the Iowa Reform School, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it be amended by striking out the words "as Commissioners," in the fifth line of the first section.



Also strike out the word "Commissioner" in the 11th line, and insert the word Trustee.

Also strike out the word "Commissioners" in the second line of section 2, and insert the word Trustees, and as so amended that it do pass.

JOHN. H. CARVER, *Chairman*.

On motion Mr. Carver H. F. No. 279, A bill for an act with report of committee recommending amendments was taken up and considered.

The amendments recommended by the committee were adopted.

Mr. Carver moved, that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blakely, Booth, Cadwell, Cardell, Carver, Clark of Benton; Clarke, of Iowa; Close, Danforth, Day, Dayton, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hilton, Irish, Leahy, Litzenberg, McAllister, McClure, Merrill, Miller, Mills, O'Donnell, Paul, Perkins, Reed, Rice, Rohlf, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Tuttle, Van Saun, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story; and Mr. Speaker—Total, 62.

The nays were—

Messrs. Crawford, Davis, Davisson Hopkirk, Reuther, Schweer, and Wright, of Van Buren—Total, 7.

Absent or not voting—

Messrs. Blake, Bliss, Bonewitz, Butler, Caldwell Campbell, Christoph, Draper, Flenniken, Hanan, Hewett, Hovey, Johnston, Kasson, Keables, Lee, Maxwell, McCoy, Morrison, Newbold, Peet, Pratt, Rule, Sandry, Teal, Van Deventer, Van Meter, Whitten, Wood, of Clay; and Wright, of Mills—Total, 30.

So the bill passed and title was agreed to.

H. F. No. 264, A bill for an act in relation to extraordinary expenditures and increased taxation by municipal corporations, with report of committee recommending its passage, was taken up and considered.

Mr. Ainsworth moved that the bill be indefinitely postponed.

The motion prevailed.

H. F. No. 215, A bill for an act to amend chapter 148 of the acts of the 18th General Assembly, with report of committee recommending its passage, was taken up and considered.

The bill was ordered engrossed and read a third time.

Mr. Rohlf's moved that the rule be suspended, the bill be considered engrossed and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows :

The yeas were----

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beresheim, Blackman, Blake, Booth, Cadwell, Caldwell, Cardell, Clark, of Benton; Davissen, Dumont, Ellsworth, Ericson, Evans, Freeman, Gear, Green, Hall, Heberling, Irish, Keables, Litzenberg, McAllister, McClure, Merrell, Miller, Mills, Newbold, O'Donnell, Paul, Perkins, Reed, Reuther, Rohlf's, Schweer, Secor, Skillin, Stow, Struthers, Tufts, Tuttle, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story; Wright, of Mills; and Mr. Speaker—Total, 49.

The nays were—

Messrs. Beatty, of Jasper; Bergh, Blakely, Clarke, of Iowa; Olose, Crawford, Danforth, Davis, Draper, Duncan, Duncombe, Durham, Goodspeed, Hilton, Hopkirk, Leahy, McCoy, Rice, Stedman, Tasker, Van Saun, Williams, and Wright, of Van Buren—Total, 23.

Absent or excused—

Messrs. Bliss, Bonewitz, Butler, Campbell, Carver, Christoph, Day, Dayton, Flenniken, Hanan, Hanson, Hewett, Hovey, Johnston, Kasson, Lee, Maxwell, Morriceon, Peet, Pratt, Rule, Sandry, Stewart, Teale, Van Deventer, Van Meter, Whitten, and Wood, of Clay—Total, 28.

So the bill was lost, not having received a constitutional majority.

By leave, Mr. Leahy offered the following resolution :

*Resolved by the General Assembly of the State of Iowa, That the Board of New Capitol Commissioners shall have the power to modify, or, with consent of the contractors, cancel the contract with Messrs. Tuttle and Robertson for the remainder of the stone required for the completion of the foundation and cellar walls of the new capitol building, upon such terms as the board may deem just and for the best interests of the State.*

Mr. Ainsworth offered the following amendment:

But such commissioners shall in no manner modify or so alter said contract so as to release said contractors from any damages sustained by reason of the poor material already furnished.

Leave of absence was granted to Mr. Lee.

The amendment to the amendment was adopted.

The resolution as amended was adopted.

## COMMITTEE REPORTS.

Mr. Bergh, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bills, viz :

S. F. No. 117, An act to promote the science of surgery and medicine in the State of Iowa.

S. F. No. 77, An act to repeal sec. 3275 of the Revision of 1860, &c.

S. F. No. 263, An act to remove the disabilities of Mordecai Cropper, &c.

S. F. No. 241, An act to legalize gifts, grants, sales and conveyances of certain lands located with the scrip of Johnson county, &c.

S. F. No. 28, An act to prevent frequent changes in school-books.

S. F. No. 137, An act to prevent the unlawful driving away of any cattle or other stock from the premises of any citizen of this State, or from their lawful range.

H. F. No. 181, An act for the relief of occupying claimants of lands.

S. F. No. 278, An act to legalize certain acts of the board of directors, &c.

S. F. No. 343, An act to amend secs. 6 and 8 of chap. 172, acts of 9th General Assembly.

KNUT E. BERGH, *Chairman pro tem.*

Mr. Bergh, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER:—Your Committee on Enrolled Bills ask leave to report that they have examined the following bill, and find the same correctly enrolled :

H. F. No. 238, A bill for an act to provide for the exemption of land owners from paying taxes on lands conveyed to railroad companies.

KNUT E. BERGH, *Chairman, pro tem.*

Mr. Bergh, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bills, viz:

H. F. No. 226, An act in relation to land grant lands.

H. F. No. 107, An act to enable townships to transfer tax voted in aid of railroads.

H. F. No. 219, An act to pay John Garaghty for legal services, &c.

H. F. No. 387, An act to legalize the action of board of supervisors of Emmet county.

KNUT E. BERGH, *Chairman, pro tem.*

On motion of Mr. Duncombe, S. F. No. 282, A bill for an act to amend chapter 138, acts of the Fourteenth General Assembly, was read a first and second time.

Mr. Duncombe moved that the rule be suspended and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blakely, Booth, Oadwell, Campbell, Cardell, Carver, Clarke, of Iowa; Close, Crawford, Danforth, Davis, Davison, Day, Dayton, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Freeman, Gear, Goodspeed, Green, Hall, Heberling, Hilton, Hopkirk, Irish, Leahy, Litzenberg, McClure, McCoy, Merrell, Miller, Mills, Newbold, Paul, Perkins, Reed, Rice, Rohlf, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tufts, Tuttle, Van Sann, Williams, Wilson, of Keokuk; Wilson, of Washington; Wright, of Mills; Wright, of Van Buren, and Mr. Speaker—Total, 65.

The nays were—

Mr. Wood, of Story—Total, 1.

Absent or excused—

Messrs. Ballinger, Blake, Bliss, Bonewitz, Butler, Caldwell, Christoph, Clark, of Benton; Draper, Evans, Flenniken, Hanan, Hanson, Hewett, Hovey, Johnston, Kasson, Keables, Lee, Maxwell, McAllister, Morrison, O'Donnell, Peet, Pratt, Reuther, Rule, Sandry, Tasker, Teale, Van Deventer, Van Meter, Whitten, and Wood, of Clay—Total, 34.

So the bill passed, and the title was agreed to.

By leave Mr. Mills offered the following resolution:

*Resolved*, That the Secretary of State be authorized to furnish the Secretary of the Iowa State Agricultural Society the necessary stationery for his office, not exceeding two hundred dollars per annum.

The resolution was not adopted.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body

that the Senate has passed the following bill, in which the concurrence of the House is asked:

S. F. No. 284, A bill for an act making appropriations for the per diem and expenses of the Fourteenth General Assembly, and other purposes.

W. L. VESTAL, *First Assistant Secretary.*

S. F. No. 284, A bill for an act making appropriations for the per diem and expenses of the Fourteen General Assembly, was read a first and second time, and referred to the Judiciary Committee.

#### REPORTS OF COMMITTEES.

Mr. Green from the Committee on Judiciary submitted the following report:

MR. SPEAKER:—Your Committee on Judiciary to whom was referred S. F. No. 289, A bill for an act to legalize the incorporation of the town of Bedford, Iowa, and the election of its town council, their acts and ordinances, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended by striking out from the first section the words "and all the acts and ordinances enacted by the town council of said town of Bedford heretofore enacted," and recommend that it do pass as amended.

Also, S. F. No. 271, A bill for an act providing for the revision and amendment of the statutes by a commission, and providing for publication thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be amended by adding after the word "form," in the second line of section 2, the words "and printed with the title prefixed in page form and without side numbers, and only single leaded," and recommend that it do pass as amended.

GREEN, *Chairman.*

On motion of Mr. Carver, S. F. No. 275, A bill for an act to repeal section 2, chapter 59, laws of the Twelfth General Assembly, &c., with report of committee recommending its passage, was taken up and considered.

Mr. Leahy moved to amend by inserting "no two of whom shall be selected from the same congressional district."

The amendment was adopted.

Mr. Carver moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, " Shall the bill pass ? " the yeas and nays were as follows :

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blakely, Booth, Caldwell, Campbell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Danforth, Davis, Davisson, Day, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Freeman, Goodspeed, Green, Hall, Heberling, Hilton, Hopkirk, Irish, Leahy, Litzenberg, McAllister, McClure, McCoy, Merrell, Miller, Mills, Newbold, O'Donnell, Paul, Perkins, Pratt, Reed, Rice, Rohlf, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Tufts, Van Sann, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 68.

The nays were Mr. Crawford.

Absent or excused—

Messrs. Blake, Bliss, Bonewitz, Butler, Cadwell, Christoph, Dayton, Draper, Evans, Flenniken, Gear, Hanan, Hanson, Hewett, Hovey, Johnston, Kasson, Keables, Lee, Maxwell, Morrison, Peet, Reuther, Rule, Sandry, Teale, Tuttle, Van Deventer, Van Meter, Whitten, and Wood, of Clay—Total, 31.

So the bill passed and the title was agreed to.

On motion of Mr. Irish, H. F. No. 172, A bill for an act to legalize the acts of Henry Hospers, etc., with report of committee recommending its passage, was taken up and considered.

Mr. Irish moved that the rule be suspended and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question " Shall the bill pass ? " the yeas and nays were as follows :

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blakely, Booth, Cadwell, Caldwell, Campbell, Cardell, Carver, Clark, of Benton; Clarke of Iowa; Close, Crawford, Danforth, Davisson, Dumont, Duncan, Duncombe, Ellsworth, Ericson, Freeman, Gear, Goodspeed, Green, Hall, Heberling, Hilton, Hopkirk, Irish, Maxwell, McAllister, McClure, McCoy, Merrell, Miller, Mills, Newbold, O'Donnell, Paul, Perkins, Pratt, Reed, Rice, Rohlf, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Tufts, Van Sann, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story; Wright, of Mills; Wright, of Van Buren, and Mr. Speaker—Total, 67.

The nays were—

Messrs. Ellsworth and Litzenberg—Total, 2.

Absent or excused—

Messrs. Blackman, Blake, Bliss, Bonewitz, Butler, Christoph,

Davis, Dayton, Draper, Evans, Flenniken, Hanan, Hanson, Hewett, Hovey, Johnston, Kasson, Keables, Leahy, Lee, Morrison, Peet, Renther, Sandry, Rule, Teale, Tuttle, Van Deventer, Van Meter, Whitten, and Wood, of Clay—Total, 31.

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

The following message was received from the Senate.

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked:

S. F. No. 265, A bill for an act to amend chapters 138 and 172 of the Twelfth General Assembly, to regulate insurance companies.

W. L. VESTAL, *First Ass't Sec'y.*

On motion of Mr. Hall S. F. No. 265, A bill for an act to amend chapter 138, and 172, of the Twelfth General Assembly in relation to insurance companies, was taken up and read a first and second time.

Mr. Duncombe offered the following amendment in 2d line of section 6, by inserting after "except joint stock companies organized under the laws of this State," and mutual life insurance companies.

The amendment was adopted.

The House ordered the bill engrossed.

By leave Mr. Green introduced H. F. No. 447, A bill for an act to amend chapter 172, acts of the Thirteenth General Assembly.

Read a first and second time.

Mr. Green moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Cedar; Beresheim, Blackman, Blakely, Booth, Cadwell, Caldwell, Clark, of Benton; Close, Crawford, Danforth, Dayton, Dumont, Duncan, Duncombe, Ellsworth, Ericson, Evans, Freeman, Gear, Goodspeed, Green, Hall, Heberling, Hilton, Hopkirk, Irish, Litzenberg, McAllister, McClure, McOoy, Merrell, Miller, Mills, Newbold, O'Donnell, Paul, Perkins, Pratt, Reed, Rice, Rohlf, Schweer, Secor, Skillin, Stow, Struthers, Tasker, Tufts, Van Saun, Williams, Wilson, of Washington; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 59.

The nays were—

Messrs. Beatty, of Jasper; and Davis—Total, 2.



Absent or excused—

Messrs. Bergh, Blake, Bliss, Bonewitz, Butler, Campbell, Cardell, Carver, Christoph, Clarke, of Iowa; Davisson, Day, Draper, Durham, Flenniken, Hanan, Hanson, Hewett, Hovey, Johnston, Kasson, Keables, Leahy, Lee, Maxwell, Morrison, Peet, Reuther, Rule, Sandry, Stewart, Stedman, Teale, Tuttle, Van Deventer, Van Meter, Whitten, Wilson, of Keokuk; and Wood, of Clay—Total, 39.

So the bill passed and the title was agreed to.

#### REPORT OF COMMITTEE.

Mr. Miller from Committee on Election, submitted the following report :

MR. SPEAKER—Your Committee on Elections to whom was referred H. F. No. 433, A bill for an act to prevent fraudulent voting, and to repeal chapter 171, of acts of the Twelfth General Assembly, and chapter 174, of the Thirteenth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with recommendation that it do pass.

C. B. MILLER, *Chairman.*

Mr. Gear moved to reconsider the vote by which the House passed S. F. No. 265.

The motion prevailed.

Mr. Gear moved to reconsider the vote by which the Doncombe amendment was adopted.

The motion prevailed.

The amendment did not prevail.

Mr. Duncombe moved to indefinitely postpone.

The motion did not prevail.

The bill was ordered engrossed, and read a third time.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following bills with amendment, in which the concurrence of the House is asked.

H. F. No. 443, A bill for an act in relation to capital punishment.

Amendments noted in bill and title.

C. V. GARDNER, *2d Asst. Secretary.*

On motion of Mr. Hall, H. F. No. 443, A bill for an act to abolish capital punishment, was taken up.

On the adoption of the Senate amendments, the yeas and nays were as follows :

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Cedar; Beatty, of Jasper; Blackman, Booth, Cadwell, Caldwell, Carver, Clarke, of Iowa; Close, Crawford, Danforth, Davis, Day, Dumont, Durham, Ellsworth, Evans, Freeman, Gear, Goodspeed, Green, Hall, Heberling, Irish, Leahy, Litzenberg, McAllister, McClure, McCoy, Miller, Mills, Newbold, O'Donnell, Paul, Perkins, Pratt, Reed, Rice, Rohls, Secor, Skillin, Stedman, Struthers, Tasker, Tufts, Van Sann, Williams, Wilson, of Keokuk; Wilson, of Washington; Wright, of Mills; and Mr. Speaker—Total, 53.

The nays were—

Messrs. Ballinger, Beresheim, Bergh, Blake, Bliss, Bonewitz, Butler, Cardell, Christoph, Dayton, Draper, Flenniken, Hanan, Hanson, Hewett, Hovey, Johnston, Kasson, Keables, Lee, Maxwell, Morrison, Peet, Reuther, Rule, Sandry, Stewart, Teale, Van Deventer, Van Meter, Whitten, and Wood, of Clay—Total, 32.

Absent or excused—

Messrs. Blakely, Campbell, Clark, of Benton; Davisson, Duncan, Duncombe, Ericson, Hilton, Hopkirk, Merrell, Schweer, Stow, Tuttle, Wood, of Story; and Wright, of Van Buren—Total, 15.

So the Senate amendments were concurred in.

The hour of adjournment having arrived, the Speaker announced the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, April 22, 1872. }

House convened pursuant to adjournment.

The Speaker in the chair.

Prayer by Rev. Mr. Swope.

On motion of Mr. Bergh the reading of the journal of Saturday was dispensed with.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following bills and resolutions without amendment :

H. F. No. 172, A bill for an act to legalize the acts of Henry

Hospers, done while acting justice of the peace in Holland township, Sioux county, Iowa.

H. F. No. 445, A bill for an act to legalize the acts of mayor, trustees and recorder of the town of Osage.

Joint resolution relative to a bridge across the Big Sioux river in Lyon county.

Joint resolution appointing trustees to Soldiers' Orphans, Homes.

Joint resolution relative to authorizing the Board of Capitol Commissioners to modify or cancel the contract with Tuttle and Robertson in regard to furnishing stone for foundation for the new State House.

J. A. T. HULL, *Secretary*.

REPORT OF COMMITTEE.

By leave Mr. Duncombe, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER:—Your Committee on Judiciary to whom was referred S. F. No. 76, A bill for an act \_\_\_\_\_, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

J. F. DUNCOMBE, *for Chairman*.

On motion of Mr. Duncombe, S. F. No. 76, A bill for an act to amend sections one and two, chapter 54 of the acts of the 18th General Assembly, with report of committee recommending its passage, was taken up and considered.

Mr. Duncombe moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Ballinger, Beatty, of Jasper; Bergh, Blakely, Booth, Butler, Carver, Clark, of Benton; Clarke, of Iowa; Crawford, Danforth, Day, Dayton, Duncan, Duncombe, Durham, Ellsworth, Ericson, Gear, Goodspeed, Hall, Hanson, Heberling, Hilton, Hopkirk, Irish, Johnston, Litzenberg, McClure, Merrell, Miller, Newbold, O'Donnell, Paul, Perkins, Pratt, Reed, Reuther, Rice, Rohlf, Rule, Schweer, Skillin, Stewart, Stow, Struthers, Tasker, Tuttle, Van Saun, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story, and Wright, of Van Buren—Total, 56.

The nays were—

Messrs. Appleton, Beresheim, Davis, Freeman, McCoy, Tafts, Wright, of Mills, and Mr. Speaker—Total, 8.

**Absent or excused—**

Messrs. Beatty, of Cedar; Blackman, Blake, Bliss, Bonewitz, Cadwell, Caldwell, Campbell, Cardell, Christoph, Close, Davisson, Draper, Dumont, Evans, Flenniken, Green, Hanan, Hewett, Hovey, Kasson, Keables, Leahy, Lee, Maxwell, McAllister, Mills, Morrison, Peet, Sandry, Secor, Stedman, Teale, Van Deventer, Van Meter, and Whitten—Total, 36.

So the bill passed and the title was agreed to.

Mr. Hall introduced H. F. No. 448, A bill for an act amendatory of chapter 74 of the acts of the Fourteenth General Assembly.

The bill was read a first and second time.

Mr. Hall moved that the rule be suspended and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

**The yeas were—**

Messrs. Ainsworth, Ballinger, Beatty, of Jasper; Beresheim, Bergh, Blackman, Blakely, Bliss, Booth, Butler, Cadwell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Crawford, Danforth, Davis, Day, Dayton, Duncan, Duncombe, Ellsworth, Ericson, Freeman, Gear, Goodspeed, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Johnston, Leahy, Litzenberg, Maxwell, McClure, McCoy, Merrell, Miller, Newbold, O'Donnell, Paul, Perkins, Pratt, Reed, Reuther, Rice, Rohlf, Schweer, Secor, Skillin, Stow, Struthers, Tufts, Tuttle, Van Saun, Williams, Wilson of Keokuk; Wilson of Washington; Wood, of Olay; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 66.

**The nays were—**

Messrs. Davisson, and Tasker—Total, 2.

**Absent or excused—**

Messrs. Appleton, Beatty, of Cedar; Blake, Bonewitz, Caldwell, Campbell, Christoph, Close, Draper, Dumont, Durham, Evans, Flenniken, Green, Hanan, Hovey, Irish, Kasson, Keables, Lee, McAllister, Mills, Morrison, Peet, Rule, Sandry, Stedman, Stewart, Teale, Van Deventer, Van Meter, and Whitten—Total, 32.

So the bill passed and the title was agreed to.

Mr. Leahy moved to reconsider the vote by which the House passed H. F. No. 447, and moved that the consideration of the same be postponed until to-morrow morning.

The motion to postpone prevailed.

Leave was granted to the Ways and Means Committee to sit during the session of the House.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body

that the Senate has passed the following bills, in which the concurrence of the House is asked:

S. F. No. 91, A bill for an act to amend section 1, chapter 23, laws of the Ninth General Assembly.

I also herewith return substitute for H. F. No. 12, the Senate having refused to adopt the report of the third committee of conference on the Senate amendments to said bill.

I am directed to inform your honorable body that the Senate has passed the following bill without amendment:

H. F. No. 379, A bill for an act to legalize and confirm the sale and conveyance of the swamp lands of Pocahontas county, Iowa, which are now patented to said county.

W. L. VESTAL, *First Assistant Secretary.*

MESSAGES ON SPEAKER'S TABLE.

S. F. No. 269, A bill for an act to provide for the distribution of the acts of the regular session of the Fourteenth General Assembly.

Read a first and second time, and passed on the files.

On motion of Mr. Duncombe, S. F. No. 271, A bill for an act providing for the revision and amendment of the statutes, &c., with report of committee recommending amendments, was taken up and considered.

The amendment recommended by the committee was adopted.

Mr. Duncombe moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Jasper; Beresheim, Bergh, Blackman, Blakely, Bliss, Butler, Cadwell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Crawford, Danforth, Davis, Davisson, Day, Duncan, Duncombe, Durham, Ellsworth, Ericson, Freeman, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Irish, Johnston, Litzenberg, Maxwell, Merrell, Miller, Newbold, O'Donnell, Perkins, Pratt, Reed, Reuther, Rice, Rohlf, Rule, Schweer, Secor, Skillin, Stedman, Stow, Struthers, Tasker, Tufts, Tuttle, Van Meter, Van Saun, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Van Buren; and Mr. Speaker—Total, 67.

The nays were—

Messrs. McCoy and Paul—Total, 2.

Absent or excused—

Messrs. Beatty, of Cedar; Blake, Bonewitz, Booth, Caldwell,

Campell, Christoph, Olose, Dayton, Draper, Dumont, Evans, Flen-  
niken, Gear, Hanan, Hovey, Kasson, Keables, Leahy, Lee, McAllis-  
ter, McClure, Mills, Morrison, Peet, Sandry, Stewart, Teale, Van  
Deventer, Whitten, and Wright, of Mills—Total, 81.

So the bill passed and the title was agreed to.

The Senate resolution instructing the Attorney-General to in-  
quire into the bonds, &c., of parties connected with the new capi-  
tol, was taken up and concurred in.

S. F. No. 267, A bill for an act amendatory of the school laws,  
&c., was read a first and second time, and referred to Committee  
on Schools.

S. F. No. 281, A bill for an act providing for the time of hold-  
ing the district and circuit courts in the 13th Judicial District was  
read a first and second time.

Mr. Stow moved that the rule be suspended and the bill be con-  
sidered engrossed, and read a third time now; which motion pre-  
vailed, and the bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were  
as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Jasper;  
Beresheim, Bergh, Blackman, Blakely, Bliss, Booth, Butler, Cad-  
well, Caldwell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa;  
Crawford, Danforth, Davis, Davisson, Day, Dayton, Duncan, Dun-  
combe, Durham, Ellsworth, Ericson, Freeman, Gear, Goodspeed,  
Green, Hall, Hanson, Hewett, Hilton, Irish, Johnston, Litzen-  
berg, Maxwell, McAllister, McClure, McCoy, Merrell, Miller,  
Newbold, Paul, Perkins, Pratt, Reed, Reuther, Rice, Rohlf, Rule,  
Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tas-  
ker, Tufts, Tuttle, Van Saun, Wilson, of Keokuk; Wilson, of  
Washington; Wood, of Story; Wright, of Mills; and Mr. Speaker  
—Total, 70.

The nays were —

Mr. Hopkirk.—Total, 1.

Absent or excused—

Messrs. Beatty, of Cedar; Blake, Bonewitz, Campbell, Chris-  
toph, Olose, Draper, Dumont, Evans, Flen-  
niken, Hanan, Heb-  
erling, Hovey, Kasson, Keables, Leahy, Lee, Mills, Morrison,  
O'Donnell, Peet, Sandry, Teale, Van Deventer, Van Meter,  
Whitten, Williams, Wood, of Olay; and Wright, of Van Buren.—  
Total, 29.

So the bill passed and the title was agreed to.

The joint resolution in regard to procuring a portrait of the late  
Ex-Governor Grimes was taken up and concurred in.

S. F. No. 204, A bill for an act for the improvement of the Iowa  
State Penitentiary at Ft. Madison, was read a first and second  
time.

Mr. Ballinger moved that the rule be suspended and the bill be

considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Jasper; Beresheim, Bergh, Blackman, Bliss, Booth, Butler, Cadwell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davisson, Day, Dayton, Dumont, Duncan, Duncombe, Durham, Erierson, Freeman, Gear, Goodspeed, Hall, Hanson, Hopkirk, Irish, Johnston, Litzenberg, Maxwell, McAllister, McClure, Merrell, O'Donnell, Paul, Perkins, Pratt, Reed, Reuther, Rice, Rohlf, Rule, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tufts, Tuttle, Van Meter, Van Saun, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 67.

The nays were—

Messrs. Blakely, Hilton, McCoy, and Tasker—Total, 4.

Absent or excused—

Messrs. Beatty, of Cedar; Blake, Bonewitz, Caldwell, Campbell, Christoph, Davis, Draper, Ellsworth, Evans, Flenniken, Green, Hanan, Heberling, Hewett, Hovey, Kasson, Keables, Leahy, Lee, Miller, Mills, Morrison, Newbold, Peet, Sandry, Teale, Van Deventer, and Whitten—Total, 29.

So the bill passed and the title was agreed to.

S. F. No. 186, A bill for an act fixing the compensation of members of future General Assemblies and of the employees thereof, was taken up and considered.

The House insisted on its amendments, and asked for a committee of conference, and the Speaker announced as such committee Messrs. Kasson, Rohlf, and Ainsworth.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following joint resolution, in which the concurrence of the House is asked:

Joint resolution for the adjustment of certain claims of the contractors for the labor of the Penitentiary convicts.

Also, S. F. No. 22, A bill for an act to repeal section 8875 of the Revision of 1860, and to enact a substitute therefor.

Also that the Senate has passed without amendment the following bill:

H. F. No. 448, A bill for an act amending chapter 74 of the acts of the 14th General Assembly.



Also, that the Senate has adopted the accompanying concurrent resolution, in which the concurrence of the House is asked.

Also, that the Senate has passed without amendment the joint resolution proposing an amendment to the Constitution of the State of Iowa.

Also, that the Senate has passed without amendment H. F. No. 446, A bill for an act authorizing the appointment of short hand reporters in District and Circuit courts.

W. L. VESTAL, *First Ass't Sec'y.*

S. F. No. 165, A bill for an act to provide for the further collection of taxes by township collectors, &c., was read a first and second time.

The House refused to order the bill engrossed and read a third time.

S. F. No. 287, A bill for an act to legalize the sale of certain school lands in Wayne county, &c., was read a first and second time.

Mr. Crawford moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beresheim, Bergh, Blackman, Blakely, Bliss, Booth, Butler, Cadwell, Caldwell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Crawford, Danforth, Davisson, Day, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Freeman, Gear, Goodspeed, Green, Hanson, Heberling, Hilton, Hopkirk, Irish, Johnston, Kasson, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Miller, Mills, Newbold, O'Donnell, Paul, Perkins, Pratt, Reed, Reuther, Rice, Rohlf, Rule, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tufts, Tuttle, Van Meter, Van Sann, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Olay; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 74.

The nays were—none

Absent or excused—

Messrs. Beatty, of Cedar; Beatty, of Jasper; Blake, Bonewitz, Campbell, Christoph, Close, Davis, Dayton, Draper, Dumont, Fleniken, Hall, Hanan, Hewett, Hovey, Keables, Leahy, Lee, Morrison, Peet, Sandry, Tasker, Teale, Van Deventer, and Whitten, —Total, 26.

So the bill passed and the title was agreed to.

S. F. No. 91, A bill for an act to amend section 1, chapter 23, laws of the Ninth General Assembly, was read a first and second time.

Mr. Litzenberg moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, " Shall the bill pass? " the yeas and nays were as follows :

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beresheim, Bergh, Blackman, Blakely, Bliss, Booth, Butler, Cadwell, Campbell, Cardell, Carver, Clark, of Benton ; Clarke, of Iowa ; Crawford, Day, Duncan, Duncombe, Durham, Evans, Freeman, Gear, Goodspeed, Green, Hanson, Heberling, Hopkirk, Irish, Johnston, Kasson, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Miller, Newbold, O'Donnell, Paul, Perkins, Pratt, Reed, Renther, Rice, Rohlf, Rnle, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tuttle, Van Meter, Van Saun, Williams, Wilson, of Keokuk ; Wilson, of Washington ; Wood, of Clay ; Wood, of Story ; Wright, of Mills ; Wright, of Van Buren ; and Mr. Speaker—Total, 67.

The nays were—

Messrs. Davisson, and Ellsworth—Total, 2.

Absent or excused—

Messrs. Beatty, of Cedar ; Beatty, of Jasper ; Blake, Bonewitz, Caldwell, Christoph, Close, Danforth, Davis, Dayton, Draper, Dumont, Ericson, Flenniken, Hall, Hanan, Hewett, Hilton, Hovey, Keables, Leahy, Lee, Mills, Morrison, Peet, Sandry, Tasker, Teale, Tufts, Van Deventer, and Whitten—Total, 31.

So the bill passed and the title was agreed to.

Mr. Stow moved that the vote be reconsidered by which S. F. No. 91 passed the House, the consideration of which was postponed.

Mr. Tuttle moved that the House insist upon its disagreement in Senate amendment to H. F. No. 12, and ask another committee of conference.

Mr. Hall moved that the whole matter be postponed for one day.

The motion to postpone prevailed.

S. F. No. 22, A bill for an act to amend section 3875 of the Revision of 1860, was read a first and second time.

Mr. Ainsworth moved to indefinitely postpone.

The motion did not prevail.

Mr. Pratt moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, " Shall the bill pass? " the yeas and nays were as follows :

The yeas were—

Messrs. Appleton, Ballinger, Beatty, of Jasper ; Beresheim, Blakely, Bliss, Booth, Cadwell, Cardell, Carver, Clark, of Benton ;

Clarke, of Iowa; Crawford, Danforth, Davis, Day, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Freeman, Goodspeed, Hall, Hanson, Heberling, Hilton, Hopkirk, Irish Johnston, Kasson, Litzenberg, McAllister, McClure, Merrell, Miller, Newbold, Paul, Perkins, Pratt, Reed, Reuther, Rice, Rohlf, Rule, Schweer, Secor, Skillin, Siedman, Stewart, Struthers, Tasker, Van Meter, Van Sann, Wilson, of Keokuk; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker---Total, 63.

The nays were---

Messrs. Ainsworth, Caldwell, McCoy, and Tufts---Total, 4.

Absent or excused---

Messrs. Beatty, of Cedar; Bergh, Blackman, Blake, Bonewitz, Butler, Campbell, Christoph, Close, Davisson, Dayton, Draper, Flenniken, Gear, Green, Hanan, Hewett, Hovey, Keables, Leahy, Lee, Maxwell, Morrison, O'Donnell, Peet, Sandry, Stow, Teale, Tuttle, Van Deventer, Whitten, Williams, and Wilsor, of Washington---Total, 83.

So the bill passed and the title was agreed to.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following bill with amendment, in which the concurrence of the House is asked:

H. F. No. 444, A bill for an act to repeal section 4 of the acts of the Fourteenth General Assembly, and to enact a substitute.

Also, that the Senate has passed without amendment H. F. No. 367, A bill for an act supplementary to chapter 26, laws of the Thirteenth General Assembly, &c.

Also, that the Senate has appointed Senators Fairall, Young, and Lowry as a committee of conference on the part of the Senate on the disagreeing vote of the two houses on the bill fixing the compensation of officers and employees of future General Assemblies.

W. L. VESTAL, *First Assistant Secretary.*

Mr. Stow moved to reconsider the vote by which the House passed H. F. No. 91.

The motion prevailed.

On motion of Mr. Newbold, the bill was referred to Committee on Judiciary.

The joint resolution from the Senate granting certain perquisites to certain parties attending this session of the General Assembly, was taken up and referred to Committee on Charitable Institutions.

The joint resolution for an adjustment of certain claims of the

contractors for the labor of penitentiary convicts, &c., was taken up and concurred in.

H. F. No. 444, A bill for an act to repeal section 4, of chapter 62 of the acts of the 14th General Assembly was taken up and considered.

On concurring in the Senate amendment, the yeas and nays were as follows :

The yeas were—

Messrs. Ainsworth, Appleton, Ballinger, Beatty, of Jasper; Beresheim, Bergh, Blackman, Bliss, Booth, Butler, Cadwell, Cardell, Carver, Clarke, of Iowa; Close, Danforth, Davis, Dayton, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Gear, Hall, Hanson, Irish, Johnston, Kasson, McClure, Merrell, Miller, Newbold, O'Donnell, Paul, Perkins, Pratt, Rice, Rohlf, Rule, Secor, Skillin, Stow, Struthers, Tasker, Tuttle, Van Meter, Van Saun, Williams, Wilson, of Keokuk; Wood, of Clay; Wright, of Mills; Wright, of Van Buren and Mr. Speaker—Total, 55.

The nays were—

Messrs. Campbell, Clark, of Benton; Crawford, Davisson, Day, Freeman, Goodspeed, Green, Hopkirk, McAllister, McCoy, Reed, Renther, Schweer, Stedman, Stewart, Tufts—Total, 17.

Absent or excused—

Messrs. Beatty, of Cedar; Blake, Blakely, Bonewitz, Caldwell, Christoph, Draper, Flenniken, Hanan, Heberling, Hewett, Hilton, Hovey, Keables, Leahy, Lee, Litzenberg, Maxwell, Mills, Morrison, Peet, Pratt, Sandry, Teale, Van Deventer, Whitten, Wilson, of Washington; and Wood, of Story; —Total, 28.

So the House concurred in the Senate amendment.

#### REPORT OF COMMITTEE.

MR. SPEAKER—The committee on enrolled bills ask leave to report that they have examined the following bills and find the same correctly enrolled:

H. F. No. 443, A bill for an act in relation to capital punishment and regulating pardons.

H. F. No. 172, A bill for an act to legalize the acts of Henry Hospers acting as Justice of the Peace, in Holland township, Sioux county, Iowa.

H. F. No. 445, A bill for an act to legalize the acts of the mayor, trustees and recorder of the town of Osage, Iowa.

And joint resolution appointing trustees of the Soldier's Orphan's Home.

And joint resolution giving power to the new capitol commissioners.

And joint resolution relative to the building of a bridge across the Big Sioux river.

KNUT E. BERGH, *Chairman pro tem.*

**MR. SPEAKER**—The committee of conference on the disagreeing votes of the two houses on substitute for S. F. No. 84, having met, after full and free conference, have agreed to report and do report to their respective houses as follows :

That the House recedes from its disagreement to the Senate amendment, and agree to the same, with the following amendment :

Insert after the word "year" in the eighteenth line of section 1, the following : Except that it shall be lawful to shoot quail on the premises of another within the time designated in the act to which this is an amendment, with the consent of the owner or occupant thereof.

JOHN A. KASSON,  
C. CLOSE,  
JOHN H. EVANS.

*Committee on part of the House.*

J. P. WEST,  
MARTIN READ,  
SAM'L H. FAIRALL.

*Committee on part of the Senate.*

On the adoption of the report the yeas and nays were as follows :

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blakely, Bliss, Booth, Cadwell, Caldwell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Danforth, Davis, Day, Dayton, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hilton, Johnston, Kasson, Leahy, Maxwell, McAllister, Merrell, Mills, Newbold, O'Donnell, Paul, Perkins, Reed, Rohlf, Rule, Secor, Skillin, Tufts, Tuttle, Van Saun, Wilson, of Keokuk; Wood, of Clay; Wood, of Story; and Mr. Speaker—Total, 58.

The nays were—

Messrs. Crawford, Davison, Hopkirk, Irish, Litzenberg, McClure, McCoy, Reuther, Schweer, Stewart, Stow, Struthers, Van Meter, Wilson, of Washington; Wright, of Mills; and Wright, of Van Buren—Total, 16.

Absent or excused—

Messrs. Ballinger, Blackman, Blake, Bonewitz, Butler, Campbell, Christoph, Draper, Flenniken, Hanan, Hewett, Hovey, Keables, Lee, Miller, Morrison, Peet, Pratt, Rice, Sandry, Stedman, Tasker, Teale, Van Deventer, Whitten, and Williams—Total, 26.

So the House adopted the amendments reported by the Conference Committee.

Mr. Kasson, from the Committee on Ways and Means, submitted the following report :

**MR. SPEAKER** :—Your Committee on Ways and Means, to whom was referred S. F. No. 284, A bill for an act making appropriations

for the per diem and expenses of the Fourteenth General Assembly, and other purposes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the accompanying amendments be adopted, and that so amended it do pass.

J. A. KASSON, *Chairman.*

1st. Strike out the word "paid" at the end of section 2, and insert the word "certified."

2d. Add at the end of the third section, the following:

*Provided, however,* That the time for which said officers and employees of the two houses shall be paid shall be reckoned from the day of their respective appointments to the last day of the present session, inclusive; and *provided, further,* that the amounts to be paid to each shall be computed at the following rates per day, namely: To the Secretary of the Senate, and to the Chief Clerk of the House of Representatives, eight dollars; to the Assistant Secretaries and Assistant Clerks, seven dollars; to the Engrossing and Enrolling Clerks, six dollars; to the Sergeants-at-arms and Doorkeepers, Postmaster, Assistant Postmaster, and Mail-carrier, five dollars; to the Janitors and Paper-folders, four dollars; to the Messengers, three dollars.

3d. Strike out section 17.

4th. Amend section 29 by adding thereto the following: Of which the sum of eight hundred and thirty-three and thirteen-one hundredths dollars shall be paid to W. T. Heywood in full for his claim for newspapers furnished the members and officers of the Senate at their present session under resolution of the Senate.

5th. Amend section 42 by adding thereto the following: To Theodore Gulick for translation into German of the Governor's Message, fifty dollars.

6th. Amend section 24 by inserting in the fourth line thereof, after the word "printing," the words, "for indexing."

7th. Amend section 25 by adding at the end thereof the words, "and filing of receipts by the parties receiving the compensation."

8th. Add at the end of section 26 the words: "and filing of receipts by the parties receiving compensation."

9th. Add to section 32 the following:

*Provided,* That there shall first be filed by him with the Auditor of State an account in detail of the items on which said postage is due.

10th. Add the following section:

Sec. 37. To William Larrabee, President *pro tempore* of the Senate, for six days services as such officer, thirty dollars. To Cicero Close, Speaker *pro tempore* of the House, for four days services as such officer, twenty dollars.

11th. Strike out section 37.

On motion of Mr. Kasson, S. F. No. 284, A bill for an act making appropriations for the per diem and expenses of the 14th General Assembly and other purposes, was taken up and considered.

Mr. Irish moved to amend the report of the committee by striking out \$8 and inserting \$10, as it relates to the Secretary of the Senate and Chief Clerk of the House.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill without amendment:

H. F. No. 414, A bill for an act for the relief of George W. Carver, of Allamakee county, Iowa.

Also, that the Senate has amended H. F. No. 111, A bill for an act in relation to the State Library and defining the duties of State Librarian, and adding a publication clause thereto.

Also, that the Senate has concurred in House amendments to S. F. No. 275, A bill for an act to repeal section 2, chapter 59, laws of the 12th General Assembly, and to enact a substitute therefor.

Also, in House amendments to S. F. No. 279, A bill for an act supplemental to an act providing for the permanent location of the Iowa Reform School.

Also, in House amendments to S. F. No. 151, A bill for an act to amend chapter 172 of the acts of the 9th General Assembly, passed April 8th, 1862, in relation to schools, etc.

Also, that the Senate has amended House amendments to S. F. No. 271, A bill for an act providing for the revision and amendments of the statutes, and by striking out the word "page" and inserting "bill;" strike out the words "and without side numbers," in which the concurrence of the House is asked.

Also, that the Senate has adopted the report of the committee on conference on disagreeing votes of the two houses on substitute for S. F. No 48.

Also that the Senate has passed S. F. No. 103, A bill for an act fixing the times for holding terms of the District Court in certain counties in the 12th Judicial District.

Also, that the Senate has passed without amendment H. F. No. 303, A bill for an act authorizing county surveyors to issue subpoenas for witnesses.

Also, without amendment, substitute for H. F. No. 42, A bill for an act to amend section 781 of the Revision of 1860.

W. L. VESTAL, *First Ass't Sec'y.*

The hour of 12 M. having arrived, the Speaker declared the House adjourned.



TWO O'CLOCK, P. M.

The Speaker called the House to order.

The question recurring on the amendment offered by Mr. Irish, by leave Mr. Irish withdrew his amendment.

Mr. Kasson moved to amend by making Postmaster, Assistant-Postmaster, and Mail Carrier, \$6, and Janitor \$5.

The motion prevailed.

Mr. Ainsworth moved to strike out the last proviso of the committee amendments, and demanded the yeas and nays, which were as follows :

The yeas were —

Messrs. Ainsworth, Ballinger, Beresheim, Blackman, Bliss, Booth, Butler, Davisson, Dayton, Duncan, Duncombe, Gear, Green, Heberling, Hewett, Irish, Litzenberg, Maxwell, McClure, Merrell, O'Donnell, Paul, Perkins, Pratt, Reed, Rohlf, Rule, Secor, Skillin, Stow, Struthers, Tuttle, Williams, Wood, of Clay, and Mr. Speaker—Total, 34.

The nays were—

Messrs. Appleton, Beatty, of Cedar ; Beatty, of Jasper ; Blakely, Cadwell, Caldwell, Campbell, Cardell, Carver, Clark, of Benton ; Clarke, of Iowa ; Close, Crawford, Danforth, Davis, Day, Draper, Dumont, Duncan, Durham, Ellsworth, Ericson, Evans, Freeman, Goodspeed, Hanson, Hilton, Hopkirk, Johnston, Kasson, Keables, Leahy, McAllister, McCoy, Miller, Mills, Newbold, Reuther, Rice, Schweer, Stedman, Stewart, Tasker, Tufts, Van Meter, Van Saun, Wilson, of Keokuk ; Wilson, of Washington ; Wood, of Story ; Wright, of Mills ; and Wright, of Van Buren—Total, 51.

Absent or excused—

Messrs. Bergh, Blake, Bonewitz, Christoph, Flenniken, Hall, Hanan, Hovey, Lee, Morrison, Peet, Sandry, Teale, Van Deventer, and Whitten—Total, 15.

So the motion to strike out did not prevail.

The question recurring on the adoption of the second amendment of the report of the committee, the yeas and nays were as follows :

The yeas were—

Messrs. Appleton, Beatty, of Cedar ; Beatty, of Jasper ; Blakely, Cadwell, Caldwell, Campbell, Cardell, Carver, Clark, of Benton ; Clarke, of Iowa ; Close, Crawford, Danforth, Davis, Davisson, Day, Draper, Dumont, Duncan, Durham, Ellsworth, Ericson, Evans, Freeman, Goodspeed, Hanson, Hilton, Hopkirk, Johnston, Kasson, Keables, Leahy, McAllister, McCoy, Miller, Newbold, Rice, Schweer, Stedman, Stewart, Tasker, Tufts, Van Meter, Van Saun, Wilson, of Keokuk ; Wilson, of Washington ; Wood, of Story ; Wright, of Mills ; and Wright, of Van Buren—Total, 50.

The nays were—

Messrs. Ainsworth, Ballinger, Beresheim, Blackman, Bliss, Booth, Dayton, Durcombe, Gear, Green, Hall, Heberling, Hewett, Irish, Litzenberg, Maxwell, McClure, Merrell, Mills, O'Donnell, Paul, Perkins, Pratt, Reed, Renther, Rohlf, Rule, Secor, Skillin, Stow, Struthers, Tuttle, Williams, Wood, of Clay; and Mr. Speaker—Total, 35.

Absent or excused—

Messrs. Bergh, Blake, Bonewitz, Butler, Christoph, Flenniken, Hanan, Hovey, Lee, Morrison, Peet, Sandry, Teale, Van Deventer, and Whitten—Total, 15.

So the amendment was adopted.

The third amendment recommended by the committee was adopted.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following bills, in which the concurrence of the House is asked:

S. F. No. 242, A bill for an act amendatory to chapter 45, sections 799 and 800 of article 1. Revision of 1860.

Also the following bills without amendment:

H. F. No. 441, A bill for an act supplementary to chapter 56, laws of the 10th General Assembly relating to weigh-masters of public scales.

H. F. No. 262, A bill for an act to legalize the sale of indemnity swamp lands in Hancock county to B. L. Patch.

W. L. VESTAL, *1st Asst. Secretary.*

#### REPORTS OF COMMITTEES.

Mr. Bergh, from Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills ask leave to report that they have examined the following bills, and find the same correctly enrolled:

S. F. No. 157, A bill for an act to amend chapter 172, of the acts of the Ninth General Assembly passed April 8th, 1862, in relation to schools, also chapter 57, laws of the Tenth General Assembly.

Also, S. F. No. 279, A bill for an act supplemental to an act providing for the permanent location of the Iowa Reform School.

Also, S. F. No. 275, A bill for an act to repeal section 2, chapter 59, Twelfth General Assembly, and enact a substitute therefor.

Also, S. F. No. 204, A bill for the improvement of the Iowa State Penitentiary, at Ft. Madison.

Also, S. F. No. 283, A bill for an act to legalize the sale of school lands in Wayne county, by the clerk of the board of supervisors.

Also, S. F. No. 151, an act to amend chapter 172, Ninth General Assembly, also chapter 57, Tenth General Assembly.

Also, S. F. No. 236, A bill for an act apportioning the State into representative districts.

Also, S. F. No. 248, A bill for an act to legalize the organization of the town of Ames, Story county, Iowa.

Also, S. F. No. 76, A bill for an act to amend secs. 1 and 2, chapter 54, acts Thirteenth General Assembly.

Also, S. F. No. 270, A bill for an act to amend chapter 101, laws Fourteenth General Assembly.

Also, S. F. No. 238, A bill for an act to legalize the ordinances of the city of Waverly, Iowa.

Also, S. F. No. 282, A bill for an act to amend chapter 138, acts of Fourteenth General Assembly, and attaching Webster county to the 11th judicial district.

Also S. F. No. 160, A bill for an act to provide for locating, establishing and constructing, ditches, drains and water courses.

KNUT E. BERGH, *Chairman pro tem.*

Mr. Bergh, from Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER :—The Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bills, viz :

H. F. No. 445, An act to legalize the acts of the trustees, mayor and recorder of Osage.

H. F. No. 172, An act to legalize the acts of Henry Hospers while acting as justice of the peace in Holland township, in Sioux county.

H. F. No. 443, An act in relation to capital punishment, and regulating pardon.

H. F. No. 238, An act to provide for the exemption of land-owners to pay taxes on land which they have conveyed to railroad companies.

Joint resolution appointing trustees of the Iowa Soldiers' Orphan's Homes.

Joint resolution in relation to the board of new capitol commissioners, &c.

Joint resolution relating to the building of a bridge across the Big Sioux River.

KNUT E. BERGH, *Chairman, pro tem.*

Mr. Hall moved to strike out of the fourth amendment the word " &c. "

The motion prevailed.

Mr. Hall moved to amend by inserting "and in addition thereto the further sum of \$321, to be applied upon the account of Mr. Heywood."

The amendment to the amendment was adopted.

The fourth amendment, as amended, was not adopted.

Mr. Gear moved to amend the fifth amendment by striking out "\$35" and inserting "\$50."

The motion prevailed.

The fifth amendment, as amended, was adopted.

The 6th, 7th, 8th, 9th, 10th, and 11th amendments were adopted.

Mr. Keables moved to amend section 42 by striking out "\$35," and inserting "\$50."

The amendment was adopted.

Mr. Kasson moved that the rule be suspended, that the bill be considered engrossed, and read a third time now.

The motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Appleton, Beatty, of Jasper; Beresheim, Blackman, Blakely, Bliss, Booth, Butler, Cadwell, Caldwell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Draper, Dumont, Duncan, Durham, Ellsworth, Ericson, Freeman, Hanson, Heberling, Hewett, Hilton, Johnston, Leahy, Litzenberg, Maxwell, McAllister, McClure, Newbold, Paul, Perkins, Pratt, Reed, Rice, Schweer, Stewart, Tasker, Tufts, Van Meter, Van Sann, Whitten, Williams, Wood, of Clay; Wood, of Story; and Wright, of Mills—Total, 52.

The nays were—

Messrs. Ainsworth, Beatty, of Cedar; Campbell, Duncombe, Gear, Goodspeed, Hall, Hopkirk, Irish, Merrell, Miller, O'Donnell, Rule, Secor, Skillin, Stow, Struthers, Tuttle, Wilson, of Keokuk; and Wilson, of Washington—Total, 20.

Absent or excused—

Messrs. Ballinger, Bergh, Blake, Bonewitz, Christoph, Davisson, Day, Dayton, Evans, Green, Flenniken, Hanan, Hovey, Kasson, Keables, Lee, McCoy, Mills, Morrison, Peet, Reuther, Rohlf, Sandry, Stedman, Teale, Van Deventer, Wright, of Van Buren; and Mr. Speaker—Total, 28.

So the bill passed and the title was agreed to.

Mr. Dumont from the Committee on Representative and Senatorial Districts, submitted the following report:

MR. SPEAKER—Your Committee on Representative and Senatorial Districts, to whom was referred S. F. No. 234, A bill for an act apportioning the State of Iowa into Senatorial Districts, beg leave to report that they have had the same under consideration,

and have instructed me to report the same back to the House with the accompanying substitute, which substitute they recommend do pass.

S. B. DUMONT, *Chairman.*

By leave Mr. Tuttle introduced H. F. No. 449, A bill for an act amending section 2 of chapter 110, of the Thirteenth General Assembly.

Read first and second time.

The House refused to order the bill engrossed and read a third time.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the accompanying :

Substitute for H. F. No. 374, A bill for an act to amend sections 3, 6, and 44, of chapter 109, acts of the 18th General Assembly, in which the concurrence of the House is asked.

Also, that the Senate has passed without amendment H. F. No. 208, A bill for an act to restore territory set off for school purposes.

Also, without amendment H. F. No. 429, A bill for an act legalizing the establishment of roads by county judges and auditors.

Also, that the Senate has passed the following bill, in which the concurrence of the House is asked :

S. F. No. 276, A bill for an act regulating the compensation of the deputy warden, physician, and clerk of the Penitentiary.

Also, without amendment H. F. No. 353, A bill for an act to amend chapter 6 of the acts of the 14th General Assembly, entitled "An act authorizing the appropriation of money to build bridges, approved January 31st, 1872."

W. L. VESTAL, *First Asst Sec'y.*

Mr. Gear moved that when this House adjourn it adjourn until 7:15 o'clock P. M.

The motion prevailed.

On motion of Mr. Blackman, S. F. No. 234, A bill for an act apportioning the State of Iowa into Senatorial Districts, with report of committee recommending a substitute, was taken up and considered.

On the adoption of the substitute Mr. Blackman demanded the yeas and nays, which were as follows :

The yeas were—

Messrs. Beresheim, Bergh, Blackman, Bliss, Clark, of Benton; Close, Day, Dumont, Freeman, Hall, Irish, Leahy, Litzenberg,

McClure, Merrell, O'Donnell, Pratt, Rohlf, Rule, Secor, Stedman, Stow, Struthers, Tasker, Tufts, Van Meter, Van Sann, Williams, Wilson, of Keokuk; Wood, of Clay; Wood, of Story; and Wright, of Mills—Total, 32.

The nays were—

Messrs. Ainsworth, Appleton, Beatty, of Cedar; Beatty, of Jasper; Blakely, Butler, Cadwell, Caldwell, Cardell, Carver, Clarke, of Iowa; Crawford, Davis, Davisson, Draper, Duncan, Duncombe, Durham, Evans, Gear, Goodspeed, Green, Hanson, Hilton, Hopkirk, Johnston, Maxwell, McAllister, McCoy, Miller, Newbold, Paul, Reed, Rice, Schweer, Skillin, Stewart, Tuttle, Wilson, of Washington; and Wright, of Van Buren—Total, 40.

Absent or excused—

Messrs. Ballinger, Blake, Bonewitz, Booth, Campbell, Christoph, Danforth, Dayton, Ellsworth, Ericson, Flenniken, Hanan, Heberling, Hewett, Hovey, Kasson, Keables, Lee, Mills, Morrison, Peet, Perkins, Reuther, Sandry, Teale, Van Deventer, Whitten, and Mr. Speaker—Total, 28.

So the House refused to adopt the substitute.

Mr. Pratt moved to amend as follows: Amend section 44 so as to read Butler, Bremer, and Floyd shall be the Forty-third District, and entitled to one senator, and amend section 49 to read Chickasaw, Howard, and Mitchell counties shall be the Forty-eighth District, and entitled to one senator.

The amendment was adopted.

The House ordered the bill engrossed and read a third time.

Mr. Blackman moved that the rule be suspended, that the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Appleton, Beatty, of Jasper; Beresheim, Blackman, Blakely, Bliss, Booth, Butler, Cadwell, Caldwell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Draper, Dumont, Duncan, Durham, Ellsworth, Ericson, Freeman, Gear, Hanson, Heberling, Hewett, Hilton, Johnston, Leahy, Litzenberg, Maxwell, McAllister, McClure, McCoy, Newbold, Paul, Perkins, Pratt, Reed, Rice, Rohlf, Schweer, Stewart, Tasker, Tufts, Van Meter, Van Sann, Whitten, Williams, Wood, of Clay; Wood, of Story; and Wright, of Mills—Total, 55.

The nays were—

Messrs. Ainsworth, Beatty, of Cedar; Campbell, Duncombe, Goodspeed, Hall, Hopkirk, Irish, Merrell, Miller, O'Donnell, Rule, Secor, Stow, Struthers, Tuttle, Wilson, of Keokuk; and Wilson, of Washington—Total, 18.

Absent or excused—

Messrs. Ballinger, Bergh, Blake, Bonewitz, Christoph, Davisson,

Day, Dayton, Evans, Flenniken, Green, Hanan, Hovey, Kasson, Keables, Lee, Mills, Morrison, Peet, Reuther, Sandry, Skillin, Stedman, Teale, Van Deventer, Wright, of Van Buren; and Mr. Speaker—Total, 27.

So the bill passed and the title was agreed to.

The hour of adjournment having arrived, the Speaker declared the House adjourned.

7:15 P. M.

The House called to order by the Speaker.

UNFINISHED BUSINESS.

H. F. No. 121, A bill for an act to amend sec. 3362 of the Revision of 1860, &c., was taken up and considered.

Read a first and second time.

The substitute recommended by the committee was adopted.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blakely, Bliss, Booth, Butler, Caldwell, Cardell, Carver, Clark, of Benton; Danforth, Davis, Day, Durham, Evans, Freeman, Gear, Goodspeed, Hanson, Hewett, Hilton, Hopkirk, Johnston, Keables, Leahy, Litzenberg, Maxwell, McClure, McCoy, Newbold, Pratt, Reed, Rice, Rule, Schweer, Secor, Skillin, Stewart, Stow, Struthers, Tasker, Van Meter, Van Sann, Williams, Wilson, of Keokuk; Wilson, of Washington; Wright, of Mills; and Mr. Speaker—Total, 52.

The nays were—

Mr. Tufts.

Absent or excused—

Messrs. Ballinger, Blackman, Blake, Bonewitz, Cadwell, Campbell, Christoph, Clarke, of Iowa; Close, Crawford, Davisson, Dayton, Draper, Dumont, Duncan, Duncombe, Ellsworth, Ericson, Flenniken, Green, Hall, Hanan, Heberling, Hovey, Irish, Kasson, Lee, McAllister, Merrell, Miller, Mills, Morrison, O'Donnell, Paul, Peet, Perkins, Renther, Rohlf, Sandry, Stedman, Teale, Tuttle, Van Deventer, Whitten, Wood, of Clay; Wood, of Story; and Wright, of Van Buren—Total, 47.

So the bill passed and the title was agreed to.



## REPORTS OF COMMITTEES.

Mr. Bergh, from Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills ask leave to report that they have examined the following bills, and find the same correctly enrolled:

S. F. No. 219, A bill for an act providing for the acknowledgment and recording of deeds in certain cases, and rendering valid the acknowledgments of deeds and instruments in writing.

S. F. No. 22, A bill for an act to repeal section 3875 of Revision of 1860.

S. F. No. 281, A bill for an act fixing the time of holding district and circuit courts in the 13th judicial district.

Also, Joint resolution for the adjustment of certain claims of the contractors for the labor of penitentiary convicts.

Also, Concurrent resolution in relation to purchasing portrait of Gov. Grimes.

H. F. No. 367, A bill for an act to restrain stock from running at large; also, in relation to railroad fences.

Also, Joint resolution proposing an amendment to the Constitution of the State of Iowa, in relation to electing a prosecuting attorney.

H. F. No. 444, A bill for an act to repeal sec. 4 of the acts of the 14th General Assembly, and enact a substitute therefor.

H. F. No. 414, A bill for an act for the relief of George W. Carver, of Allamakee county, Iowa.

Substitute for H. F. No. 303, A bill for an act authorizing county surveyors to issue subpoenas and administering oaths.

H. F. No. 448, A bill for an act amending chapter 74 of the acts of the 14th General Assembly.

H. F. No. 379, A bill for an act to legalize and confirm the conveyance of the swamp lands of Pocahontas county, Iowa.

H. F. No. 262, A bill for an act to legalize the sale of indemnity swamp lands in Hancock to B. L. Patch.

Substitute for H. F. No. 42, A bill for an act to amend sec. 781 of the Revision of 1860.

Substitute for H. F. No. 441, A bill for an act supplementary to chapter 56, laws of 10th General Assembly, relating to weigh-masters of public scales.

KNUT E. BERGH, *Chairman pro tem.*

On motion of Mr. Butler, S. F. No. 239, A bill for an act to legalize the incorporation of the town of Bedford, &c., with report of committee recommending its passage was taken up and considered.

Mr. Butler, moved that the rule be suspended and the

bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, " Shall the bill pass ? " the yeas and nays were as follows :

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Cedar ; Beatty, of Jasper ; Beresheim, Bergh, Blakely, Bliss, Booth, Butler, Cadwell, Carver, Clark, of Benton ; Crawford, Danforth, Davis, Day, Duncan, Durham, Ellsworth, Freeman, Gear, Goodspeed, Hanson, Hewett, Hopkirk, Johnston, Keables, Leahy, Litzenberg, Maxwell, McClure, McCoy, Miller, Newbold, Pratt, Reed, Rice, Rule, Schweer, Secor, Skillin, Stewart, Stow, Struthers, Tasker, Tufts, Van Meter, Van Sann, Williams, Wilson, of Keokuk ; Wilson, of Washington ; Wright, of Mills ; and Mr. Speaker—Total, 54.

The nays were none.

Absent or excused—

Messrs. Ballinger, Blackman, Blake, Bonewitz, Cadwell, Campbell, Cardell, Christoph, Clarke, of Iowa ; Close, Davisson, Dayton, Draper, Dumont, Duncombe, Ericson, Evans, Flenniken, Green, Hall, Hanan, Heberling, Hilton, Hovey, Irish, Kasson, Lee, McAllister, Merrell, Mills, Morrison, O'Donnell, Paul, Peet, Perkins, Reuther, Rohlf, Sandry, Stedman, Teale, Tuttle, Van Meter, Whitten, Wood, of Clay ; Wood, of Story ; and Wright, of Van Buren—Total, 46.

So the bill passed and the title was agreed to.

By leave Mr. Ainsworth offered the following resolution :

*Resolved*, That the clerk of this House be instructed to request the Treasurer of State, to report to this House at once, the amount drawn by each member of this House upon his *per diem*.

On the adoption of the resolution the yeas and nays were demanded which were as follows :

The yeas were—

Messrs. Ainsworth, Beresheim, Bergh, Blakely, Bliss, Booth, Cardell, Carver, Clark, of Benton ; Clarke, of Iowa ; Crawford, Danforth, Duncan, Duncombe, Ericson, Gear, Hewett, Hilton, Litzenberg, Maxwell, Mills, Newbold, Pratt, Reed, Rice, Rule, Schweer, Secor, Skillin, Tuttle, Van Meter, Williams, and Wilson, of Washington—Total, 33.

The nays were—

Messrs. Appleton, Beatty, of Cedar ; Beatty, of Jasper ; Butler, Caldwell, Close, Davis, Davisson, Day, Evans, Freeman, Goodspeed, Hanson, Hopkirk, Johnston, Keables, Leahy, McClure, McCoy, Miller, Stewart, Stow, Struthers, Tasker, Tufts, Van Sann, Wilson, of Keokuk ; Wright, of Mills ; and Mr. Speaker—Total, 29.

Absent or excused—

Messrs. Ballinger, Blackman, Blake, Bonewitz, Cadwell, Campbell, Christoph, Dayton, Draper, Dumont, Durham, Ellsworth, Flenniken, Green, Hall, Hanan, Heberling, Hovey, Irish, Kasson,

Lee, McAillister, Merrell, Morrison, O'Donnell, Paul, Peet, Perkins, Reuther, Rohlf, Sandry, Stedman, Teale, Van Deventer, Whitten, Wood, of Clay; Wood, of Story; and Wright, of Van Buren—Total, 38.

So the resolution was adopted.

S. F. No. 265, A bill for an act to regulate Insurance companies, etc., was read a third time.

Mr. Duncombe submitted the following amendment by way of rider: Strike out of section 6 all after local in the seventh line to the period after the word office.

Read a first and second time.

Mr. Irish moved to refer the bill to committee on Insurance. The motion did not prevail.

The rider was read a third time and adopted.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Appleton, Beatty, of Jasper; Beresheim, Blackman, Blakely, Cadwell, Caldwell, Cardell, Clark, of Benton; Close, Danforth, Davisson, Dumont, Duncan, Durham, Ellsworth, Ericson, Evans, Freeman, Hewett, Hilton, Hopkirk, Johnston, Litzenberg, Maxwell, McClure, McCoy, Merrell, Miller, Paul, Reed, Rice, Schweer, Secor, Skillin, Stewart, Struthers, Tasker, Tufts, Van Saun, Williams, Wilson, of Keokuk; Wright, of Mills, Mr. Speaker—Total, 44.

The nays were—

Messrs. Ainsworth, Beatty, of Cedar; Bliss, Booth, Campbell, Crawford, Davis, Day, Draper, Duncombe, Gear, Goodspeed, Hanson, Heberling, Irish, Keables, McAillister, Newbold, O'Donnell, Rule, Stow, Tuttle, Van Meter, Wilson, of Washington; Wood, of Clay; Wood, of Story—Total, 26.

Absent or excused—

Messrs. Ballinger, Bergh, Blackman, Blake, Bonewitz, Butler Carver, Christoph, Clarke, of Iowa; Dayton, Flenniken, Green, Hall, Hanan, Hovey, Kasson, Leahy, Lee, Mills, Morrison, Peet, Perkins, Pratt, Reuther, Rohlf, Sandry, Teale, Van Deventer, Whitten, and Wright, of Van Buren—Total, 30.

So the bill having failed to receive a constitutional number of votes it was declared lost.

Mr. Hall moved to take up the motion to reconsider the vote by which H. F. No. 418, A bill for the relief of Joseph Metz, &c., was lost.

The motion to reconsider prevailed.

Mr. Hall moved to reconsider the vote by which the amendment was adopted.

The motion prevailed.

Mr. Hall moved to amend the amendment by striking out "\$200," and inserting "\$150."

The motion prevailed.

On the question, " Shall the bill pass ? " the yeas and nays were as follows :

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Jasper ; Beresheim, Bergh, Blackman, Blakely, Bliss, Booth, Cadwell, Caldwell, Campbell, Cardell, Carver, Clark, of Benton ; Clarke, of Iowa ; Crawford, Danforth, Davis, Day, Dayton, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Freeman, Gear, Goodspeed, Hall, Hanson, Heberling, Hilton, Hopkirk, Irish, Johnston, Keables, Lee, Litzenberg, Maxwell, McAllister, McClure, Merrell, Miller, Newbold, O'Donnell, Paul, Reed, Rice, Rule, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Tufts, Tuttle, Van Meter, Van Saun, Williams, Wilson, of Keokuk ; Wilson, of Washington ; Wood, of Clay ; and Mr. Speaker—Total, 69.

The nays were—

Messrs. Beatty, of Cedar ; Close, Davisson, McCoy, and Wright, of Mills—Total, 5.

Absent or excused—

Messrs. Ballinger, Blake, Butler, Bonewitz, Christoph, Draper, Flenniken, Green, Hanan, Hewett, Hovey, Kasson, Leahy, Mills, Morrison, Peet, Perkins, Pratt, Reuther, Rohlf, Sandry, Teale, Van Deventer, Whitten, Wood, of Story ; and Wright, of Van Buren—Total, 26.

So the bill passed and the title was agreed to.

By leave Mr. Clark, of Benton, introduced H. F. No. 450, A bill for an act to amend section 1, chapter 39, laws of the 14th General Assembly.

Read a first and second time.

Mr. Clark, of Benton, moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which prevailed, and the bill was read a third time.

On the question, " Shall the bill pass ? " the yeas and nays were as follows :

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Cedar ; Beatty, of Jasper ; Beresheim, Blackman, Blakely, Bliss, Booth, Cadwell, Caldwell, Campbell, Cardell, Carver, Clark, of Benton ; Clarke, of Iowa ; Close, Crawford, Danforth, Davis, Day, Dayton, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Freeman, Goodspeed, Hall, Hanson, Heberling, Hilton, Hopkirk, Irish, Johnston, Keables, Leahy, Lee, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Miller, Mills, Newbold, O'Donnell, Reed, Rice, Rohlf, Rule, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Tufts, Tuttle, Van Meter, Van Saun, Williams, Wilson, of Keokuk ; Wilson, of Washington ; Wood,

of Clay; Wood, of Story; Wright, of Mills; and Mr. Speaker—Total, 74.

The nays were---

Messrs. Davisson and Gear—Total, 2.

Absent or excused—

Messrs. Ballinger, Bergh, Blake, Bonewitz, Butler, Christoph, Draper, Flenniken, Green, Hanan, Hewett, Hovey, Kasson, Morrison, Paul, Peet, Perkins, Pratt, Renther, Sandry, Teale, Van Deventer, Whitten, and Wright, of Van Buren.-- Total, 24.

So the bill passed and the title was agreed to.

By leave Mr. Freeman introduced H. F. No. 451, A bill for an act to provide for the disposal of the Supreme Court Reports, etc.

Read a first and second time.

Mr. Freeman moved that the rule be suspended and the bill be considered engrossed and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Blackman, Bliss, Booth, Butler, Cadwell, Caldwell, Campbell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Davisson, Day, Dayton, Dumont, Duncan, Duncombe, Durham, Ericson, Freeman, Gear, Goodspeed, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Irish, Johnston, Kasson, Keables, Leahy, Litzenberg, Maxwell, McClure, Merrell, Miller, Mills, O'Donnell, Paul, Reed, Rice, Rohlf, Rule, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tufts, Tuttle, Van Meter, Van Saun, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wright, of Mills, Mr. Speaker---Total, 70.

The nays were---

Messrs. Litzenberg, McCoy, Newbold, Tasker, and Wood, of Story—Total, 5.

Absent or excused---

Messrs. Ballinger, Bergh, Blake, Blakely, Bonewitz, Christoph, Draper, Ellsworth, Evans, Flenniken, Green, Hanan, Hovey, Lee, McAllister, Morrison, Peet, Perkins, Pratt, Renther, Sandry, Teale, Van Deventer, Whitten, and Wright, of Van Buren---Total, 25.

So the bill passed and the title was agreed to.

Mr. Heberling moved to reconsider the vote by which the House refused to order engrossed H. F. No. 165, A bill for an act to provide for the collection of taxes by townships, &c.

The motion prevailed.

Mr. Heberling moved that the rule be suspended, the bill be read a third time now.

The motion did not prevail.

The House refused to order the bill engrossed.

## MESSAGES ON THE SPEAKER'S TABLE.

The communication from the Treasurer of State in reference to the per diem of members of the General Assembly, was taken up and read.

Mr. Beatty, of Cedar, moved to take up the joint resolution in regard to settlement of the State with R. G. Orwig.

The motion prevailed.

Mr. Maxwell moved to lay the resolution on the table.

Mr. Campbell demanded the yeas and nays, which were as follows :

The yeas were—

Messrs. Appleton, Beresheim, Bliss, Caldwell, Davis, Davisson, Duncan, Durham, Ellsworth, Freeman, Heberling, Keables, Leahy, Litzenberg, Maxwell, McAllister, McClure, Miller, Mills, Reed, Reuther, Tufts, Sedman, Struthers, Tasker, Williams, Wilsor, of Washington, and Wood, of Clay—Total, 28.

The nays were—

Messrs. Ainsworth, Beatty, of Cedar ; Beatty, of Jasper ; Blackman, Blakely, Booth, Cadwell, Campbell, Clark, of Benton ; Clarke, of Iowa ; Close, Crawford, Dantorth, Day, Dayton, Draper, Dumont, Duncombe, Ericson, Evans, Gear, Goodspeed, Hall, Hanson, Hilton, Hopkirk, Irish Johnston, Kasson, McCoy, Merrell, Newbold, O'Donnell, Paul, Rice, Rule, Schweer, Secor, Skillin, Stewart, Stow, Tuttle, Van Meter, Van Saun, Wood, of Story ; Wright, of Mills ; and Mr. Speaker—Total, 47.

Absent or excused—

Messrs. Ballinger, Bergh, Blake, Bonewitz, Butler, Cardell, Carver, Christoph, Flenniken, Green, Hanan, Hewett, Hovey, Lee, Morrison, Peet, Perkins, Pratt, Rohlf, Sandry, Teale, Van Deventer, Whitten, Wilson, of Keokuk ; and Wright, of Van Buren—Total, 25.

So the House refused to lay the resolution on the table.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER :—I am directed to inform your honorable body that the Senate has passed, without amendment, the following memorial and joint resolution to Congress relative to homestead settlers on lands claimed by railroads in Iowa.

Also, H. F. No. 383, A bill for an act relative to changes of the boundary lines of civil townships.

I am directed to inform your honorable body that the Senate has refused to concur in the House amendments to S. F. No. 234, A bill for an act apportioning the State of into senatorial districts.

Also, that the Senate has concurred in House amendments to S.

F. No. 289, A bill for an act to legalize the incorporation of the town of Bedford, Iowa, and the election of its town council, their acts and ordinances.

W. L. VESTAL, *First Assistant Secretary.*

The question recurring on the adoption of the resolution, the resolution was adopted.

MESSAGE ON THE SPEAKER'S TABLE.

S. No. 284, A bill for an act fixing the compensation of the officers and employees, &c., of the General Assembly, was taken up and considered.

Mr. Close moved that the House non-concur in the Senate amendments to the House amendments.

On which motion the yeas and nays were as follows :

The yeas were—

Messrs. Appleton, Beatty, of Cedar; Beatty, of Jasper; Bergh, Blakely, Cadwell, Caldwell, Campbell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Draper, Dumont, Duncan, Durham, Ellsworth, Ericson, Evans, Freeman, Goodspeed, Hall, Hanson, Hilton, Hopkirk, Johnston, Kasson, Keables, Leahy, McCoy, Miller, Newbold, Paul, Rice, Schweer, Stedman, Stewart, Struthers, Tasker, Tufts, Van Meter, Van Saun, and Wood, of Story—Total, 45.

The nays were—

Messrs. Ainsworth, Beresheim, Blackman, Bliss, Booth, Cardell, Davis, Davisson, Dayton, Duncombe, Gear, Heberling, Hewett, Irish, Litzenberg, Maxwell, McAllister, McClure, Merrell, Mills, O'Donnell, Reed, Reuther, Rule, Secor, Skillin, Stow, Tuttle, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; and Mr. Speaker—Total, 33.

Absent or excused—

Messrs. Ballinger, Blake, Bonewitz, Butler, Christoph, Day, Flenniken, Green, Hanan, Hovey, Lee, Morrison, Peet, Perkins, Pratt, Rohlf, Sandry, Teale, Van Deventer, Whitten, Wright, of Mills, and Wright, of Van Buren—Total, 22.

So the House refused to concur in the Senate amendments.

Mr. Close moved that a Committee of Conference be adopted.

The motion prevailed.

The Speaker appointed as such committee on the part of the House, Messrs. Close, Tuttle and Williams.

Mr. Gear moved to reconsider the vote by which the House refused to pass S. F. No. 265, A bill for an act to amend chapters 138 and 173 of the Twelfth General Assembly, &c.

The motion prevailed.



## MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following bill without amendment:

H. F. No. 188, A bill for an act to amend chapter 175 of the 18th General Assembly.

W. L. VESTAL, *First Ass't Sec'y.*

Mr Hall moved to reconsider the vote by which the House ordered the bill engrossed.

The motion prevailed.

Mr. Hall moved to strike out of sec. 6, after the word "office," in the 13th line.

The motion prevailed.

Mr. Gear moved that the rule be suspended and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Appleton, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blakely, Oadwell, Caldwell, Campbell, Cardell, Clark, of Benton; Clarke, of Iowa; Close, Danforth, Davis, Davisson, Day, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Freeman, Gear, Goodspeed, Hewett, Hilton, Hopkirk, Kasson, Keables, Litzenberg, McCoy, Miller, Mills, Newbold, Paul, Reed, Renthner, Rice, Schweer, Secor, Skillin, Stedman, Stewart, Struthers, Tasker, Tufts, Tuttle, Van Meter, Van Saun, Williams, Wilson of Keokuk; Wilson of Washington, Wood, of Clay; Wood, of Story; Wright, of Mills; and Mr. Speaker—Total, 61.

The nays were—

Messrs. Ainsworth, Bliss, Booth, Crawford, Hanson, Heberling, Johnston, Leahy, McAllister, Merrell, and Stow—Total, 12.

Absent or excused—

Messrs. Ballinger, Blake, Bonewitz, Butler, Carver, Christoph, Dayton, Flenniken, Green, Hall, Hanan, Hovey, Irish, Lee, McClure, Morrison, O'Donnell, Peet, Perkins, Pratt, Rohlf, Rule, Sandry, Teale, Van Deventer, Whitten, and Wright, of Van Buren—Total, 26.

So the bill passed and the title was agreed to.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate.

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in the amendments to

S. F. No 284, A bill for an act making appropriations for the per diem and expenses of the Fourteenth General Assembly, and for other purposes, with the following amendments:

Strike out 1st House amendment.

Strike out 2d House amendment.

Strike out 7th House amendment.

Strike out 9th House amendment.

Strike out 10th House amendment.

In which the concurrence of the House is asked.

J. A. T. HULL, *Secretary*.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has appointed Senators McNutt, McKean and Hurley, as the Conference Committee on the part of the Senate on the disagreeing votes of the two Houses on the House amendments to S. F. No. 284.

W. L. VESTAL, *First Assistant Secretary*.

#### COMMITTEE REPORTS.

Mr. Bergh, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully report that they have examined the following bill and find the same correctly enrolled.

S. F. No. 239, A bill for an act to legalize the incorporation of the town of Bedford, Iowa, and the election of its town council, acts and ordinances.

Also, H. F. No. 353, A bill for an act to amend chapter 6 of the acts of the Fourteenth General Assembly in relation to building bridges.

Also, H. F. No. 208, A bill for an act providing for restoring territory for school purposes to township districts to which it geographically belongs.

Also, H. F. No. 429, A bill for an act legalizing the establishment of roads by county judges and auditors.

Also, substitute for S. F. No. 84, A bill for an act to amend chapter 118, acts of the Twelfth General Assembly.

Also, H. F. No. 383, A bill for an act in relation to the changing of boundary lines of civil townships.

KNUT E. BERGH, *Chairman pro tem*.

H. F. No. 111, A bill for an act in relation to the State Library, etc., was read a first and second time.

Mr. Bergh moved that the rule be suspended and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blakely, Bliss, Booth, Cadwell, Caldwell, Campbell, Cardell, Carver, Clark of Benton; Close, Crawford, Danforth, Davis, Davisson, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Freeman, Gear, Goodspeed, Hall, Hanson, Heberling, Hewett, Hilton, Hopkirk, Irish, Johnston, Kasson, Keables, Leahy, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Miller, Mills, Newbold, Paul, Reuther, Rice, Rohlf, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Tufts, Van Meter, Van Sann, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood of Story; Wright, of Mills; and Mr. Speaker—Total, 76.

The nays were none.

Absent or excused—

Messrs. Ballinger, Blake, Bonewitz, Butler, Christoph, Clarke, of Iowa; Flenniken, Green, Hanan, Hovey, Lee, Morrison, O'Donnell, Peet, Perkins, Pratt, Reed, Rule, Sandry, Teale, Tuttle, Van Deventer, Whitten, and Wright, of Van Buren—Total, 24.

So the House concurred in the Senate amendments to H. F. No. 111.

By leave Mr. Duncombe introduced H. F. No. 452, A bill for an act to amend an act entitled an act, authorizing the appointment of short hand reporters, &c., was read a first and second time.

Mr. Duncombe moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Cedar; Bergh, Blackman, Bliss, Caldwell, Cardell, Carver, Clark, of Benton; Close, Crawford, Davis, Day, Dayton, Dumont, Duncombe, Ellsworth, Freeman, Gear, Green, Hall, Hanson, Heberling, Hewett, Hopkirk, Irish, Johnston, Keables, Litzenberg, Maxwell, McCoy, Merrell, Miller, Mills, Newbold, O'Donnell, Paul, Reuther, Rohlf, Rule, Secor, Skillin, Stewart, Stow, Tasker, Van Meter, Van Sann, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; and Mr. Speaker—Total, 53.

The nays were—

Messrs. Beatty, of Jasper; Blakely, Cadwell, Campbell, Clarke, of Iowa; Danforth, Davisson, Draper, Duncan, Durham, Evans,

Goodspeed, Hilton, Kasson, McAllister, Reed, Rice, Schweer, Stedman, Tufts, Wood, of Story; and Wright, of Mills—Total, 22.

Absent or excused—

Messrs. Ballinger, Beresheim, Blake, Bonewitz, Booth, Butler, Christoph, Ericson, Flenniken, Hanan, Hovey, Leahy, Lee, McClure, Morrison, Peet, Perkins, Pratt, Sandry, Struthers, Teale, Tuttle, Van Deventer, Whitten, and Wright, of Van Buren—Total, 25.

So the bill passed and the title was agreed to.

Mr. Hall moved to reconsider the vote by which H. F. No. 449, was lost on its engrossment.

The motion prevailed.

Mr. Hall moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which did not prevail.

The House ordered the bill engrossed for a third reading.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following bills, without amendment:

Substitute for H. F. No. 176, A bill for an act to amend section 1317, of chapter 55, of the Revision of 1860.

Also, H. F. No. 136, A bill for an act to repeal section 4149 and 4152, of chapter 162, of the Revision of 1860.

Also, H. F. No. 302, A bill for an act entitled an act, to amend section 498, of the Revision of 1860, in relation to special elections.

W. L. VESTAL, *1st Ass't. Secretary.*

Mr. Beresheim moved that the rule be suspended, that the bill be considered engrossed, and read a third time now.

The motion did not prevail.

H. F. No. 261, A bill for an act to amend chapter 72, Revision of 1860, in relation to interest on money, was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Ainsworth, Appleton, Beresheim, Bliss, Booth, Cadwell, Caldwell, Cardell, Clark, of Benton; Duncombe, Ericson, Heberling, Keables, Maxwell, Mills, Reuther, Secor, Skillin, Struthers, Van Saun, Williams, and Wood, of Clay—Total, 22.

The nays were—

Messrs. Beatty, of Cedar; Beatty, of Jasper; Bergh, Blackman, Blakely, Campbell, Clarke, of Iowa; Crawford, Danforth, Davis, Davisson, Day, Draper, Dumon, Duncan, Durham, Ellsworth, Evans, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Hilton,

Hopkirk, Irish, Kasson, Lee, McClure, Merrell, Miller, Newbold, O'Donnell, Paul, Reed, Rice, Rohlf, Rule, Schweer, Stedman, Stewart, Stow, Tasker, Tufts, Van Meter, Wilson, of Keokuk; Wilson, of Washington; Wood, of Story; Wright, of Mills; and Mr. Speaker—Total, 51.

Absent or excused—

Messrs. Ballinger, Blake, Bonewitz, Butler, Carver, Christoph, Close, Dayton, Flenniken, Hanan, Hewett, Hovey, Johnston, Leahy, Litzenberg, McAllister, McCoy, Morrison, Peet, Perkins, Pratt, Sandry, Teale, Tuttle, Van Deventer, Whitten, and Wright, of Van Buren—Total, 27.

So the bill did not pass for want of a constitutional majority.

H. F. No. 348, A bill for an act to provide information concerning the deaf and dumb, was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Jasper; Beresheim, Bergh, Blackman, Blakely, Bliss, Booth, Cadwell, Caldwell, Campbell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Crawford, Danforth, Davis, Davisson, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hilton, Hopkirk, Irish, Kasson, Keables, McClure, McCoy, Merrell, Mills, Newbold, O'Donnell, Paul, Reed, Reuther, Rice, Rohlf, Rule, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tufts, Van Meter, Van Saun, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; and Mr. Speaker—Total, 69.

The nays were Mr. Beatty, of Cedar.

Absent or excused—

Messrs. Ballinger, Blake, Bonewitz, Butler, Christoph, Close, Evans, Flenniken, Hanan, Hewett, Hovey, Johnston, Leahy, Lee, Litzenberg, Maxwell, McAllister, Miller, Morrison, Peet, Perkins, Pratt, Sandry, Tasker, Teale, Tuttle, Van Deventer, Whitten, Williams, and Wright, of Van Buren—Total, 30.

So the bill passed, and the title was agreed to.

Mr. Green moved to take up the motion to reconsider the vote by which H. F. No. 215 was lost.

The motion prevailed.

The motion to reconsider prevailed.

The question recurring on the passage of the bill, the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Cedar; Beresheim, Blackman, Blakely, Booth, Clark, of Benton; Crawford, Davisson, Day, Dumont, Duncombe, Evans, Freeman, Gear, Green, Hall, Heberling, Hilton, Irish, Kasson, Keables, Litzenberg, McAllister,

McClure, Merrell, Miller, Mills, O'Donnell, Paul, Reed, Reuther, Rohlf, Rule, Secor, Skillin, Stow, Struthers, Van Meter, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; and Mr. Speaker—Total, 46.

The nays were—

Messrs. Beatty, of Jasper; Bergh, Bliss, Cadwell, Campbell, Cardell, Clarke, of Iowa; Danforth, Davis, Dayton, Draper, Duncan, Durham, Ellsworth, Ericson, Goodspeed, Hanson, Hopkirk, McCoy, Newbold, Rice, Schweer, Stedman, Stewart, Tufts, Van Saun, and Wright, of Mills—Total, 27.

Absent or excused—

Messrs. Ballinger, Blake, Bonewitz, Butler, Caldwell, Carver, Christoph, Close, Flenniken, Hanan, Hewett, Hovey, Johnston, Leahy, Lee, Maxwell, Morrison, Peet, Perkins, Pratt, Sandry, Tasker, Teale, Tuttle, Van Deventer, Whitten, and Wright, of Van Buren—Total, 28.

So the bill did not pass for want of a constitutional majority.

Mr. Gear moved to take up Senate messages.

The motion prevailed.

S. F. No. 276, A bill for an act regulating the compensation of deputy warden, etc., was taken up and read a first and second time, and referred to Committee on Penitentiary.

Mr. Beatty of Cedar moved that when this House adjourn it adjourn until to-morrow at 8 o'clock a. m.

The motion prevailed.

S. F. No. 374, A bill for an act to amend sections 3, 6, 10, 12, and 44, chapter 109, acts of the 13th General Assembly, was read a first and second time.

Mr. Gear moved to amend the first section, by inserting after the word "approval," "such settlement of accounts shall be made by the board of trustees in open session and shall not be entrusted to a committee."

The amendment was adopted.

Mr. Hall moved that the rule be suspended and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Cedar; Beatty, of Jasper; Bergh, Blackman, Bliss, Booth, Cadwell, Caldwell, Campbell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Danforth, Davis, Davisson, Day, Dumont, Duncan, Durcombe, Durham, Ellsworth, Ericson, Evans, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Irish, Johnston, Kasson, Keables, Litzenberg, McClure, Merrell, Miller, Mills, Newbold, O'Donnell, Paul, Reed, Reuther, Rice, Rohlf, Rule, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Tutts, Van Meter, Van

Saun, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; and Mr. Speaker—Total, 69.

The nays were—

Messrs. Crawford, Hopkirk, and McCoy—Total, 3.

Absent or excused—

Messrs. Ballinger, Beresheim, Blake, Blakely, Bonewitz, Butler, Christoph, Close, Dayton, Draper, Flenniken, Hanan, Hilton, Hovey, Leahy, Lee, Maxwell, McAllister, Morrison, Peet, Perkins, Pratt, Sandry, Teale, Tuttle, Van Deventer, Whitten, and Wright, of Van Buren—Total, 28.

So the bill passed and the title was agreed to.

S. F. No. 242, A bill for an act amendatory to chapter 45, of the Revision of 1860, was read a first and second time.

Mr. Irish moved that the bill be indefinitely postponed.

The motion prevailed.

S. F. No. 103, A bill for an act fixing the time for holding courts, &c., in the Twelfth Judicial District, was read a first and second time.

Mr. O'Donnell moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blakely, Bliss, Booth, Caldwell, Campbell, Cardell, Carver, Crawford, Danforth, Davisson, Day, Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Freeman, Gear, Goodspeed, Green, Hanson, Heberling, Hilton, Hopkirk, Johnston, Kasson, Litzenberg, Maxwell, McClure, McCoy, Merrell, Miller, Mills, Newbold, O'Donnell, Paul, Reed, Rice, Rohlf, Rule, Schweer, Secor, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Tufts, Van Saun, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; and Mr. Speaker—Total, 65.

The nays were—none

Absent or excused—

Messrs. Ballinger, Blake, Bonewitz, Butler, Cadwell, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Davis, Dayton, Draper, Evans, Flenniken, Hall, Hanan, Hewett, Hovey, Irish, Keables, Leahy, Lee, McAllister, Morrison, Peet, Perkins, Pratt, Reuther, Sandry, Teale, Tuttle, Van Deventer, Van Meter, Whitten, and Wright, of Van Buren—Total, 35.

So the bill passed and the title was agreed to.



## MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following bills without amendment :

H. File. No. 194, A bill for an act to amend section 40, of chapter 188, of the Twelfth General Assembly, to regulate Insurance Companies.

H. F. No. 430, A bill for an act to amend section 187, chapter 14, of the Revision of 1860.

H. F. No. 421, A bill for an act to re-organize the State Historical Society.

W. L. VESTAL, *First Ass't Sec'y.*

H. F. No. 325. A bill for an act to protect holders of policies of life insurance, was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blakely, Bliss, Booth, Caldwell, Campbell, Danforth, Davisson, Duncombe, Durham, Ericson, Evans, Heberling, Hilton, Irish, Keables, Litzenberg, McClure, McCoy, Merrell, Miller, O'Donnell, Renter, Rice, Rule, Schweer, Secor, Stedman, Tasker, Tufts, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; and Mr. Speaker—Total, 40.

The nays were—

Messrs. Ainsworth, Cadwell, Crawford, Day, Ellsworth, Freeman, Gear, Goodspeed, Green, Hanson, Hopkirk, Johnston, Kasson, Maxwell, Newbold, Paul, Rohlf, Skillin, Stewart, Stow, Struthers, Van Meter, Van Saun, and Wright, of Mills—Total, 24.

Absent or excused—

Messrs. Appleton, Ballinger, Blackman, Blake, Bonewitz, Butler, Cardell, Carver, Christoph, Clark, of Benton; Clarke, of Iowa; Close, Davis, Dayton, Draper, Dumont, Duncan, Flenniken, Hall, Hanan, Hewett, Hovey, Leahy, Lee, McAllister, Mills, Morrison, Peet, Perkins, Pratt, Reed, Sandry, Teale, Tuttle, Van Deventer, Whitten, and Wright, of Van Buren—Total, 36.

So the bill failed to pass.

S. F. No. 271, A bill for an act providing for the revision, etc., of the statutes by a commission, etc., was taken up and considered.

The question being on concurring in the Senate amendments, the yeas and nays were as follows :

The yeas were—

Messrs. Ainsworth, Beatty, of Cedar; Beresheim, Bergh, Blakely, Bliss, Booth, Cadwell, Caldwell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Danforth, Davis, Davisson, Day,

Dumont, Duncan, Duncombe, Durham, Ellsworth, Ericson, Freeman, Goodspeed, Green, Hall, Hanson, Heberling, Hewett, Hilton, Irish, Johnston, Kasson, Keables, Litzenberg, Maxwell, McClure, Merrell, Miller, Newbold, O'Donnell, Paul, Reed, Renter, Rice, Rohlf, Rule, Schweer, Secor, Skillin, Stewart, Stow, Struthers, Tasker, Tufts, Van Meter, Van Saun, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Mr. Speaker—Total, 63.

The nays were—

Messrs. Crawford, Evans, Hopkirk and McCoy—Total, 4.

Absent or excused—

Messrs. Appleton, Ballinger, Beatty, of Jasper; Blackman, Blake, Bonewitz, Butler, Campbell, Christoph, Close, Dayton, Draper, Flenniken, Gear, Hanan, Hovey, Leahy, Lee, McAllister, Mills, Morrison, Peet, Perkins, Pratt, Sandry, Stedman, Teale, Tuttle, Van Deventer, Whitten, Wood, of Story; Wright, of Mills; and Wright, of Van Buren—Total, 33.

So the House concurred in the Senate amendments.

Mr. Heberling moved to reconsider the vote by which H. F. No. 325 was lost.

The motion prevailed.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill without amendment:

S. F. No. 77, A bill for an act providing the place of bringing suit in certain cases.

W. L. VESTAL, *First Assistant Secretary.*

On motion of Mr. Irish the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, April 23, 1872. }

The House convened pursuant to adjournment.

The Speaker in the chair.

Prayer by Hon. I. Blakely.

Mr. Goodspeed moved that the reading of the journal be dispensed with.

The motion prevailed.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bills, in which the concurrence of the House is asked :

S. F. No. 138, A bill for an act authorizing the punishment of railroad companies and other incorporated bodies for violation of the criminal laws of the State.

Also, that the Senate has passed the following bill without amendment :

H. F. No. 450. A bill for an act to amend section 1, chapter 39, laws of the 14th General Assembly.

W. L. VESTAL, *First Ass't Sec'y.*

## BILLS ON THIRD READING.

H. F. No. 372, A bill for an act to amend chapter 89 of the laws of the 13th General Assembly.

Read a third time.

On the question, " Shall the bill pass ? " the yeas and nays were as follows:

The yeas were—

Messrs. Appleton, Cadwell, Clark, of Benton; Clarke, of Iowa; Durham, Ellsworth, Goode, Hanson, Keables, Secor, Stow, Van Meter, and Wilson, of Keokuk—Total, 13.

The nays were—

Messrs. Ainsworth, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Blakely, Crawford, Danforth, Davis, Evans, Freeman, Gear, Hewett, Hilton, Hopkirk, Lee, McCoy, Miller, Pratt, Reed, Renner, Rice, Schweer, Skillin, Stewart, Struthers, Tasker, Tufts, Wilson, of Washington; Wood, of Story; Wright, of Mills, and Mr. Speaker—Total, 31.

Absent or excused—

Messrs. Ballinger, Bergh, Blackman, Blake, Bliss, Bonewitz, Booth, Butler, Caldwell, Campbell, Cardell, Carver, Christoph, Close, Davisson, Day, Dayton, Draper, Dumont, Duncan, Duncombe, Ericson, Flenniken, Green, Hall, Hanan, Heberling, Hovey, Irish, Johnston, Kasson, Leahy, Litzenberg, Maxwell, McAllister, McClure, Merrell, Mills, Morrison, Newbold, O'Donnell, Paul, Peet, Perkins, Rohlf, Rule, Sandry, Stedman, Teale, Tuttle, Van Deventer, Van Saun, Whitten, Williams, Wood, of Clay, and Wright, of Van Buren—Total, 54.

So the bill having failed to receive a constitutional number of votes, was declared lost.

H. F. No. 440, A bill for an act amending sec. 2, of chap. 110, of

the acts of the 18th General Assembly, was read a first and second time and passed on file.

#### REPORTS OF COMMITTEES.

Mr. Bergh, from Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills ask leave to report that they have examined the following bill, and find the same correctly enrolled:

S. F. No. 271, A bill for an act providing for the revision of the statutes by a commission, &c.

KNUT E. BERGH, *Chairman, pro tem.*

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill without amendment:

H. F. No. 240, A bill for an act to amend chapter 172, laws of the 9th General Assembly.

W. L. VESTAL, *First Ass't Sec'y.*

H. F. No. 11, A bill for an act to amend an act passed by the Ninth General Assembly, entitled an act, etc., was read a third time.

On motion of Mr. Reed the bill was re-committed to Committee on Judiciary.

H. F. No. 66, A bill for an act making persons selling or giving away liquors, &c., was taken up.

The question recurring on referring the bill to Committee on Suppression of Intemperance, the motion did not prevail.

The bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Beatty, of Cedar; Beatty, of Jasper; Blakely, Bliss, Cadwell, Carver, Clark, of Benton; Clarke of Iowa; Close, Crawford, Davis, Duncan, Durham, Ellsworth, Evans, Goodspeed, Hanson, Hewett, Hopkirk, Johnston, Leahy, Lee, Miller, Mills, Newbold, Pratt, Rice, Skillin, Struthers, Tasker, Tufts, Van Meter, Van Saun, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 41.

The nays were—

Messrs. Ainsworth, Appleton, Beresheim, Blackman, Booth,

Danforth, Duncombe, Ericson, Freeman, Gear, Green, Hall, Hilton, McCoy, Merrell, Reed, Reuther, Rohlf, Rule, Schweer, Secor, Stewart, Stow, and Tuttle—Total, 24.

Absent or excused—

Messrs. Ballinger, Bergh, Blake, Bonawitz, Butler, Caldwell, Campbell, Cardell, Christoph, Davisson, Day, Dayton, Draper, Dumont, Flenniken, Hanan, Heberling, Hovey, Irish, Kasson, Keables, Litzenberg, Maxwell, McAllister, McClure, Morrison, O'Donnell, Paul, Peet, Perkins, Sandry, Stedman, Teale, Van Deventer, and Whitten—Total, 35.

So the bill having failed to receive a constitutional number of votes, was declared lost.

Mr. Newbold submitted the following report:

MR. SPEAKER:—Your Committee on Schools, to whom was referred S. F. No. 267, A bill for an act amendatory of the school laws of the State, and in relation to the formation of independent districts, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it be indefinitely postponed.

J. G. NEWBOLD, *Chairman*.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has concurred in House amendments to substitute for H. F. No. 374, A bill for an act to amend sections 3, 6, 10, 12, and 44 of chapter 109 of the acts of the Thirteenth General Assembly.

W. L. VESTAL, *First Ass't. Sec'y*.

S. F. No. 267, A bill for an act amendatory to the school laws, &c., was taken up, and on motion of Mr. Newbold, the bill was indefinitely postponed.

Mr. Beresheim, from Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills ask leave to report that they have examined the following bill, and find the same correctly enrolled:

S. F. No. 103, A bill for an act fixing the times for holding terms of the District Court in certain counties in the Twelfth Judicial District.

BERESHEIM, *Chairman*.

S. F. No. 269, A bill for an act to provide for the publication of the laws of the Fourteenth General Assembly in pamphlet form, &c., was taken up, and read a first and second time.

Mr. Williams moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Jasper; Beresheim, Blakely, Bliss, Booth, Cadwell, Caldwell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Danforth, Davis, Draper, Duncombe, Durham, Ellsworth, Ericson, Freeman, Gear, Goodspeed, Green, Hanson, Hilton, Hopkirk, Johnston, Merrell, Miller, Mills, Newbold, Perkins, Pratt, Reed, Rohlf, Rule, Schweer, Secor, Skilling, Stow, Struthers, Tasker, Tufts, Tuttle, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren; and Mr. Speaker—Total, 52.

The nays were—

Messrs. Beatty, of Cedar; Campbell, Close, Crawford, Day, Duncan, Evans, Lee, McCoy, Reuther, Rice, Stewart, Van Meter, and Van Saun—Total, 14.

Absent or excused—

Messrs. Ballinger, Bergh, Blackman, Blake, Bonewitz, Butler, Caldwell, Christoph, Davison, Dayton, Dumont, Flenniken, Hall, Hanan, Heberling, Hewett, Hovey, Irish, Kasson, Keables, Leahy, Litzenberg, Maxwell, McAllister, McClure, Morrison, O'Donnell, Paul, Peet, Sandry, Stedman, Teale, Van Deventer, and Whitten—Total, 34.

So the bill passed and the title was agreed to.

Mr. Close, from the committee of conference on S. F. No. 284, submitted the following report:

MR. SPEAKER:—The undersigned, a committee to meet a similar committee on the part of the Senate to consider the disagreement of the two houses on S. F. No. 284, have discharged that duty, and beg leave to report that they are not able to agree, and herewith return the bill.

A. CLOSE,  
J. M. TUTTLE,  
M. A. LEAHY,  
*On part of House.*

SAMUEL McNUTT,  
JAMES S. HURLEY,  
JOHN McKEAN,  
*On part of Senate.*

By leave, Mr. Hall offered the following resolution:

*Be it resolved by the General Assembly of the State of Iowa,*  
That the Capitol Commissioners are hereby authorized to select

one of their number, as they may deem proper, as an executive committee, and the members of such committee shall receive, in addition to the compensation now allowed by law, the further sum of three dollars per day for the time they are actually engaged.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has concurred in House amendments to S. F. No. 265, A bill for an act to amend chapters 138 and 173 of the Twelfth General Assembly, to regulate insurance companies.

Also, that the Senate has passed the accompanying concurrent resolution, in which the concurrence of the House is asked.

W. L. VESTAL, *First Assistant Secretary.*

Mr. Tufts moved to amend by making it two members.

Mr. Reed moved to amend the amendment by striking out two and inserting one.

The motion prevailed.

The amendment as amended was not adopted.

Mr. Hilton moved to amend so that the resolution shall read "one or more."

The amendment was adopted.

On the adoption of the resolution, Mr. Hilton demanded the yeas and nays, which were as follows :

The yeas were—

Messrs. Appleton, Beresheim, Blakely, Booth, Butler, Campbell, Cardell, Carver, Clark, of Benton ; Clarke, of Iowa ; Davis, Day, Duncombe, Durham, Evans, Freeman, Gear, Goodspeed, Green, Hall, Hanson, Heberling, Hopkirk, Keables, Leahy, Maxwell, Merrell, Mills, Newbold, Paul, Perkins, Pratt, Rule, Tufts, Tuttle, Van Saun, Williams, Wilson, of Keokuk ; Wilson, of Washington ; and Mr. Speaker—Total, 40.

The nays were—

Messrs. Ainsworth, Beatty, of Jasper ; Bliss, Cadwell, Close, Crawford, Danforth, Davisson, Draper, Duncan, Ericson, Hilton, Johnston, Lee, Litzenberg, McAllister, McClure, McCoy, Reed, Reuther, Rice, Schweer, Skillin, Stewart, Stow, Struthers, Tasker, Van Meter, Wood, of Clay ; Wood, of Story ; Wright, of Mills ; and Wright, of Van Buren—Total, 32.

Absent or excused—

Messrs. Ballinger, Beatty, of Cedar ; Bergh, Blackman, Blake, Bonewitz, Caldwell, Christoph, Dayton, Dumont, Ellsworth, Fleniken, Hanan, Hewett, Hovey, Irish, Kasson, Miller, Morrison, O'Donnell, Peet, Rohlf, Sandry, Secor, Stedman, Teale, Van Deventer, and Whitten—Total, 28.

So the resolution was adopted.



## REPORTS OF COMMITTEES.

Mr. Bergh, from Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills ask leave to report that they have examined the following bills, and find the same correctly enrolled:

H. F. 188, A bill for an act to amend chapter 175 of the acts of the 13th General Assembly.

H. F. No. 111, A bill for an act in relation to the State Library and the duties of the State Librarian.

H. F. No. 302, A bill for an act to amend section 498 of the Revision of 1860, in relation to special elections.

Substitute for H. F. No. 176, A bill for an act to amend section 1317 of chapter 55 of the Revision of 1860.

H. F. No. 136, A bill for an act to repeal sections 4149 and 4152 of chapter 162 of the Revision, establishing fees of justices of the peace and constables.

H. F. No. 430, A bill for an act to amend section 187, chapter 14, of the Revision of 1860.

H. F. No. 196, A bill for an act to amend section 40 of chapter 138, acts of the 12th General Assembly, to regulate insurance companies.

H. F. No. 77, A bill for an act providing the place of bringing suits in certain cases.

KNUT E. BERGH, *Chairman pro tem.*

## MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following bills without amendment:

H. F. No. 431, A bill for an act to provide for taking testimony on applications for pardon.

H. F. No. 152, A bill for an act to amend section 3782 of the Revision of 1870, in relation to the vacation and modification of injunctions.

H. F. No. 418, A bill for an act for the relief of Joseph Metz.

W. L. VESTAL, *1st Asst. Secretary.*

Mr. Tufts moved that the House insist on its disagreement and ask another Committee of Conference on the disagreeing votes of the House and Senate on H. F. No. 384.

The motion prevailed.

Mr. Campbell moved to reconsider the vote by which S. F. No. 267 was indefinitely postponed.

The motion prevailed.

The bill was taken up and considered.

Mr. Campbell moved that the rule be suspended, the bill considered engrossed and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Jasper; Beresheim, Blakely, Booth, Butler, Campbell, Clarke, of Iowa; Davis, Dayton, Draper, Dumont, Duncombe, Durham, Ellsworth, Ericson, Gear, Hall, Hanson, Hilton, Hopkirk, Irish, Keables, Leahy, Miller, Mills, Newbold, O'Donnell, Perkins, Pratt, Stedman, Tasker, Tuttle, Van Meter, Van Saun, Williams, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wright, of Van Buren, and Mr. Speaker—Total, 42.

The nays were—

Messrs. Beatty, of Cedar; Blackman, Bliss, Close, Crawford, Davison, Day, Duncan, Evans, Freeman, Goodspeed, Green, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Reed, Renther, Rice, Rohlf, Rule, Schweer, Secor, Skillin, Stewart, Stow, Struthers, Tufts, Wood, of Story; and Wright, of Mills—Total, 32.

Absent or excused—

Messrs. Ballinger, Bergh, Blake, Bonewitz, Cadwell, Caldwell, Cardell, Carver, Christoph, Clark, of Benton; Danforth, Flenniken, Hanan, Heberling, Hewett, Hovey, Johnston, Kasson, Lee, Morrison, Paul, Peet, Sandry, Teale, Van Deventer, and Whitten—Total, 26.

So the bill passed and the title was agreed to.

The Speaker announced as Committee of Conference on the disagreeing vote of the House and Senate on S. F. No. 284, Messrs. Tufts, Wilson, of Washington, and Williams.

#### REPORT OF COMMITTEE.

Mr. Berseheim, from Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills ask leave to report that they have examined the following bill, and find the same correctly enrolled:

S. F. No. 374, A bill for an act to amend sections 3, 6, 10, 12 and 44, chapter 109, acts 13th General Assembly.

KNUT E. BERGH, *Chairman pro tem.*

Mr. Bergh, from Committee on Enrolled Bills, submitted the following report:

**MR. SPEAKER :—**The Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bills, viz :

S. F. Nos. 238, 282, 160, 275, 283, 236, 76, 281, 279, 204, 157, 248, 270, 22, and 219.

H. F. Nos. 441, 379, 488, 414, 367, 353, 383, 262, 303, 444, 208, 429 and Substitute for H. F. No. 42.

Also, S. F. No. 269, A bill for an act to provide for the publication and distribution of the laws of the Fourteenth General Assembly.

**KNUT E. BERGH, *Chairman pro tem.***

On motion of Mr. Duncombe, H. F. No. 396, A bill for an act to legalize deeds of conveyances made by executors, with report of committee recommending amendments, was taken up and considered.

The amendments recommended by the committee were adopted.

Mr. Duncombe moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Appleton, Beatty, of Cedar; Beresheim, Bliss, Booth, Butler, Cadwell, Campbell, Carver, Clark, of Benton; Davisson, Day, Dumont, Duncan, Duncombe, Durham, Ericson, Freeman, Gear, Green, Hall, Hanson, Hilton, Irish, Johnston, Kasson, Leahy, Lee, Maxwell, Merrell, Mills, Newbold, O'Donnell, Paul, Perkins, Pratt, Reed, Rice, Rohlf, Rule, Schweer, Secor, Skillin, Stedman, Stewart, Struthers, Tuttle, Van Meter, Whitten, Wilson, of Keokuk; Wood, of Clay; Wood, of Story; and Mr. Speaker—Total, 53.

The nays were—

Messrs. Ainsworth, Blackman, Clarke, of Iowa; Close, Crawford, Davis, Evans, Goodspeed, McAlister, McCoy, Reuther, Stow, Van Sann, Wright, of Mills, and Wright, of Van Buren—Total, 16.

Absent or excused—

Messrs. Ballinger, Bergh, Beatty, of Jasper; Blake, Bonewitz, Caldwell, Cardell, Christoph, Danforth, Dayton, Draper, Ellsworth, Flenniken, Hanan, Heberling, Hewett, Hopkirk, Hovey, Keables, Litzenberg, McClure, Miller, Morrison, Peet, Sandry, Tasker, Teale, Tufts, Van Deventer, Williams, and Wilson, of Washington;—Total, 31.

So the bill passed and the title was agreed to.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate :

**MR. SPEAKER :—**I am directed to inform your honorable body that the Senate has passed the following bills without amendment :

H. F. No. 451, A bill for an act to provide for disposing of the Supreme Court Reports, and to increase the law department of the State University.

H. F. No. 365, A bill for an act to amend section 3555, of the Revision of 1860.

Also, that the Senate has appointed Senators Lowry, Murray, and Gault, on the part of the Senate, on the disagreeing votes of the two Houses, on House amendments to S. F. No. 234.

Also, that the Senate has passed the accompanying resolution, in which the concurrence of the House is asked.

W. L. VESTAL, *First Ass't Secretary*.

MR. SPEAKER:—I am directed to inform your honorable body that the Senate, has adopted the accompanying resolution in which the concurrence of the House is asked.

W. L. VESTAL, *First Ass't Secretary*.

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following bill without amendment:

Substitute for H. F. No. 121, A bill for an act to amend an act entitled an act to amend sections 3362 and 3363, of the Revision of 1860.

Also, that the Senate has adopted the accompanying resolution in which the concurrence of the House is asked.

W. L. VESTAL, *First Ass't Secretary*.

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee, on the disagreeing votes of the two Houses, on House amendments to S. F. No. 186.

W. L. VESTAL, *First Ass't Secretary*.

S. F. No. 138, A bill for an act authorizing the punishment of railroad companies and other incorporated bodies for violation of the criminal laws, etc., was taken up and considered.

The amendments recommended by the committee were adopted.

Mr. Hilton moved that the rule be suspended and the bill be considered engrossed, and read a third time now which prevailed and the bill was read a third time.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, App'eton, Beatty, of Jasper; Bergh, Blake-ly, Bliss, Butler, Cadwell, Clarke, of Iowa; Close, Crawford, Danforth, Davisson, Day, Dumont, Duncan, Durham, Ellsworth, Evans, Gear, Hall, Hanson, Hilton, Hopkirk, Johnston, Kasson, Leahy,

Litzenberg, McAllister, McClure, McCoy, Miller, Newbold, Paul, Perkins, Rice, Schweer, Secor, Skillin, Stewart, Tasker, Tuttle, Van Meter, Van Saun, Whitten, Wilson, of Keokuk; Wood, of Clay; Wood, of Story; Wright, of Mills; Wright, of Van Buren and Mr. Speaker—Total, 51.

The nays were —

Messrs. Beatty, of Cedar; Booth, Freeman, Green, Heberling, Pratt, Rohlf, Struthers—Total, 8.

Absent or excused—

Messrs. Ballinger, Beresheim, Blackman, Blake, Bonewitz, Caldwell, Campbell, Cardell, Carver, Christoph, Clark, of Benton; Davis, Dayton, Draper, Duncombe, Ericson, Flenniken, Goodspeed, Hanan, Hewett, Hovey, Irish, Keables, Lee, Maxwell, Merrell, Mills, Morrison, O'Donnell, Peet, Reed, Reuther, Rule, Sandry, Stedman, Stow, Teale, Tufts, Van Deventer, Williams, Wilson, of Washington—Total, 41.

So the bill passed and the title was agreed to.

On motion of Mr. Wood, of Clay, H. F. No. 424, A bill for an act authorizing the Auditor of State to issue his warrant on the State Treasurer in certain cases named therein, was taken up and considered.

Mr. Wood, of Clay, moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Cedar; Beatty, of Jasper; Blakely, Bliss, Booth, Butler, Carver, Clark, of Benton; Danforth, Duncan, Ellsworth, Gear, Heberling, Hopkirk, Irish, Johnston, Kasson, Keables, Leahy, McAllister, Merrell, Miller, Mills, O'Donnell, Paul, Perkins, Pratt, Rule, Secor, Skillin, Stedman, Struthers, Tuttle, Van Saun, Whitten, Wilson, of Keokuk; Wood, of Clay; Wood, of Story, and Wright, of Mills—Total, 41.

The nays were—

Messrs. Close, Crawford, Day, Dumont, Evans, Freeman, Goodspeed, Green, Hanson, Hilton, Lee, Litzenberg, Newbold, Rice, Rohlf, Schweer and Tasker—Total, 17.

Absent or excused—

Messrs. Ballinger, Beresheim, Bergh, Blackman, Blake, Bonewitz, Caldwell, Caldwell, Campbell, Cardell, Christoph, Clarke, of Iowa; Davis, Davisson, Dayton, Draper, Duncombe, Durham, Ericson, Flenniken, Hall, Hanan, Hewett, Hovey, Maxwell, McClure, McCoy, Morrieon, Peet, Reed, Reuther, Sandry, Stewart, Stow, Teale, Tufts, Van Deventer, Van Meter, Williams, Wilson, of Washington; Wright, of Van Buren; and Mr. Speaker—Total, 42.

So the bill failed to pass.

Mr. Kasson from committee on conference on the disagreeing vote of the House and Senate on S. F. No. 186, submitted the following report:

**MR. SPEAKER:**—The Committee on Conference on the disagreeing votes of the two houses on S. F. No. 186, after a full and free conference, have agreed to report and do report to their respective houses the following: That the first paragraph of the first section of said bill be amended so as to read as follows: That the compensation of members, officers, and employees of future General Assemblies shall be as follows: To every member for each regular session, five hundred and fifty dollars, and for each extra session and adjourned session, the same compensation per diem while in session, to be ascertained by the rate per diem of the compensation of the members of the General Assembly at the next preceding regular session, and for every twenty miles in going to and returning from the places where the General Assembly is held, by the nearest traveled route, three dollars.

That the House recedes from its amendments to the second and third paragraphs of the first section, and to the second section.

JOHN A. KASSON,  
M. J. ROHLFS,  
*On part of the House.*  
SAMUEL FAIRALL,  
DAVEY A. YOUNG,  
ROBERT LOWRY,  
*On part of the Senate.*

Mr. Rohlfis moved that the report of the committee be adopted, on which motion the yeas and nays were as follows:

The yeas were—

Messrs. Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bergh, Blackman, Blakely, Butler, Cadwell, Campbell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Crawford, Danforth, Davis, Day, Dumont, Duncan, Duncombe, Durham, Ellsworth, Evans, Freeman, Goodspeed, Hilton, Hopkirk, Johnston, Kasson, Keables, Leahy, Lee, Litzenberg, Maxwell, Merrell, Miller, Mills, Newbold, Perkins, Pratt, Reed, Reuther, Rice, Rohlfis, Stedman, Stewart, Tasker, Tuttle, Van Meter, Whitten, Wilson, of Keokuk; Wood, of Story; Wright, of Mills; and Mr. Speaker—Total, 54.

The nays were—

Messrs. Ainsworth, Bliss, Booth, Close, Ericson, Gear, Green, Hanson, Heberling, Irish, McAllister, McClure, McCoy, O'Donnell, Paul, Rule, Sandry, Schweer, Secor, Skillin, Van Saun, Wood, of Clay; and Wright, of Van Buren—Total, 23.

Absent or excused—

Messrs. Appleton, Ballinger, Blake, Bonewitz, Caldwell, Christoph, Davisson, Dayton, Draper, Flenniken, Hall, Hanan, Hewett,

Hovey, Morrison, Peet, Stow, Struthers, Teale, Tufts, Van Deventer, Williams, and Wilson, of Washington—Total, 28.

So the House adopted the report of committee.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER :—I am directed to inform your honorable body that the Senate has concurred in House amendments to S. F. No. 188, A bill for an act authorizing the punishment of railroad companies, and other incorporated bodies, for violation of the criminal laws of this State.

W. L. VESTAL, *First Assistant Secretary.*

Mr. Bergh, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER—The Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bills, viz :

S. F. Nos. 289, 84, and 271.

Concurrent resolution authorizing the Census Board to procure portrait of the late Gov. Grimes.

Joint resolution for an adjustment of certain claims.

Joint resolution proposing an amendment to the constitution.

H. F. No. 186, and S. F. Nos. 260, 108, and 874.

KNUT E. BERGH, *Chairman pro tem.*

Mr. O'Donnell offered the following, which was unanimously adopted :

*Resolved*, That Speaker Wilson be presented with the chair he has filled with such marked ability.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER :—I am directed to inform your honorable body that the Senate has passed the following bill without amendment :

H. F. No. 396, A bill for an act to legalize deeds and conveyances made by executors.

W. L. VESTAL, *First Assistant Secretary.*

On motion of Mr. Leahy S. F. No. 234, A bill for an act apportioning the State into Senatorial Districts, etc., was taken up and considered.



Mr. Leahy moved that the House recede from its amendments, on which the yeas and nays were as follows:

The yeas were—

Messrs. Ainsworth, Appleton, Beatty, of Cedar; Beatty of Jasper; Blakely, Bliss, Butler, Cadwell, Campbell, Cardell, Carver, Clark, of Benton; Clarke, of Iowa; Close, Crawford, Danforth, Davis, Davisson, Duncan, Duncombe, Durham, Ellsworth, Ericson, Evans, Freeman, Gear, Green, Hanson, Hilton, Hopkirk, Johnston, Kasson, Keables, Leahy, Lee, Maxwell, McAllister, McClure, McCoy, Miller, Newbold, O'Donnell, Paul, Reed, Rice, Rule, Schweer, Skillin, Stedman, Stewart, Stow, Struthers, Tasker, Van Meter, Van Saun, Whitten, Wilson, of Keokuk; Wood, of Story; Wright, of Mills; and Wright, of Van Buren—Total, 60.

The nays were—

Messrs. Beresheim, Blackman, Draper, Dumont, Goodspeed, Renther, Wood, of Clay; and Mr. Speaker—Total, 8.

Absent or excused—

Messrs. Ballinger, Bergh, Blake, Bonewitz, Booth, Caldwell, Christoph, Day, Dayton, Flenniken, Hall, Hanan, Heberling, Hewett, Hovey, Irish, Litzenberg, Merrell, Mills, Morrison, Peet, Perkins, Pratt, Rohlf, Sandry, Secor, Teale, Tufts, Tuttle, Van Deventer, Williams, and Wilson, of Washington—Total, 82.

So the bill passed, and the title was agreed to.

The following Senate resolutions were adopted:

Senate resolution in regard to the Secretary of State furnishing the Capitol Commissioners with books, stationery, etc.

Also, resolution in regard to printing journals of House and Senate.

On the resolution in regard to furnishing members with copies of the United States Statutes, the yeas and nays were demanded, which were as follows:

The yeas were—

Messrs. Ainsworth, Beatty, of Cedar; Beatty, of Jasper; Beresheim, Bliss, Booth, Butler, Cadwell, Cardell, Clark, of Benton; Clarke, of Iowa; Crawford, Davis, Davisson, Dumont, Duncombe, Durham, Ellsworth, Ericson, Gear, Green, Hanson, Hewett, Irish, Johnston, Keables, Leahy, Litzenberg, Maxwell, McAllister, McClure, McCoy, Merrell, Mills, O'Donnell, Renther, Rice, Rohlf, Skillin, Stedman, Stewart, Struthers, Tuttle, Whitten, Wilson, of Keokuk; Wood, of Clay; and Wright, of Mills—Total, 47.

The nays were—

Messrs. Blakely, Campbell, Close, Danforth, Day, Draper, Duncan, Evans, Freeman, Hilton, Hopkirk, Kasson, Lee, Merrell, Miller, Newbold, Perkins, Pratt, Reed, Schweer, Tasker, Van Saun, Wright, of Van Buren, and Mr. Speaker—Total, 24.

Absent or excused—

Messrs. Appleton, Ballinger, Bergh, Blackman, Blake, Bonewitz, Caldwell, Carver, Christoph, Dayton, Flenniken, Goodspeed, Hall,

Hanan, Heberling, Hovey, Morrison, Paul, Peet, Rule, Sandry, Secor, Stow, Teale, Tufts, Van Deventer, Van Meter, Williams, Wilson, of Washington, and Wood, of Story; —Total, 29.

So the resolution was adopted.

The Senate resolution in regard to furnishing counties with report of Code Commissioners was taken up and adopted.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, without amendment :

H. F. No. 348, A bill for an act to provide information concerning the deaf and dumb.

H. F. No. 452, A bill for an act to amend an act entitled an act authorizing the appointment of short hand reporters in district and circuit courts, laws of the 14th General Assembly.

W. L. VESTAL, *First Assistant Secretary.*

#### REPORT OF COMMITTEE.

MR. SPEAKER—Your committee on schools to whom was referred S. F. No. 267, A bill for an act amendatory of the school laws of the State and in relation to the formation of independent districts, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

J. G. NEWBOLD, *Chairman.*

Mr. Davis offered a joint resolution in regard to inscription on the corner stone of the new capitol.

The resolution was adopted.

On motion of Mr. Beresheim the House took a recess of ten minutes.

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House called to order by the Speaker.

Mr. Bergh from the committee on enrolled bills submitted the following report :

MR. SPEAKER—The committee on enrolled bills ask leave to report that they have examined the following bills and find the same correctly enrolled.

H. F. No. 428, A bill for an act to reorganize the State Historical Society.

H. F. No. 450, A bill for an act to amend section 1, chapter 89, laws of the 14th General Assembly.

H. F. No. 240, A bill for an act to amend chapter 172, laws of the 9th General Assembly.

H. F. No. 152, A bill for an act to amend section 8782 of the Revision of 1860.

H. F. No. 418, A bill for an act for the relief of Joseph Metz.

H. F. No. 365, A bill for an act to amend section 3555 of the Revision of 1860.

KNUT E. BERGH, *Chairman pro tem.*

Mr. Tufts from conference committee on S. F. No. 284 submitted the following report:

Conference Committee beg leave to report as the result of their deliberations the following:

Add to section 3, in lieu of the House amendment to said section 3, the following, to-wit:

*Provided, however,* That the time for which said officers and employees of the two houses shall be paid, shall be reckoned from the day of their appointment to the last day of the present session, inclusive. *And provided further,* That the amount to be paid to each shall be computed at the following rates per day, namely:

Chief Clerk of the House and Secretary of the Senate, each \$10 per day.

To the Assistant Secretary of Senate and House, \$8 per day.

To the Enrolling and Engrossing Clerks of the Senate and House, each \$6 per day.

To the Sergeant at-Arms, Door-keeper, and Janitors, for the Senate and House, each \$5 per day.

To the Postmaster and Assistant Postmaster, and Mail Carriers, each \$6 per day.

To the Paper-folders of the Senate and House, each \$4 per day.

To the Messengers of the Senate and House, each \$3 per day.

And that the House recede from its vote by which it struck out section 17 of the bill.

That Senate concur in House amendment to 9th line in sec. 42.

That the House recede from its amendment to section 32.

And that section 29 be amended by striking out "\$5,625.25," and insert "\$5,946.25."

ROBERT LOWRY,  
B. F. MURRAY,  
E. J. GAULT,

*On part of Senate.*

J. Q. TUFTS,  
C. H. WILSON,  
JAS. L. WILLIAMS,

*On part of House.*

## MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on the disagreeing votes of the two Houses on House amendments to S. F. No. 284.

W. L. VESTAL, *First Assistant Secretary.*

The question recurring on the adoption of the report of Committee of Conference on S. F. No. 284.

On the question, " Shall the bill pass ? " the yeas and nays were as follows :

The yeas were—

Messrs. Ainsworth, Beatty, of Jasper; Beresheim, Blackman, Blakely, Bliss, Booth, Butler, Clark, of Benton; Clarke, of Iowa; Davis, Davison, Dayton, Dumont, Duncan, Durham, Freeman, Gear, Green, Hall, Heberling, Hilton, Irish, Kasson, Keables, Litzenberg, McAllister, McClure, Merrell, Miller, Mills, Newbold, O'Donnell, Perkins, Pratt, Reed, Renther, Rohlf, Rule, Schweer, Secor, Skillin, Stedman, Stow, Struthers, Tasker, Tufts, Tuttle, Van Saun, Whitten, Wilson, of Keokuk; Wilson, of Washington; Wood, of Clay; Wood, of Story; and Mr. Speaker—Total, 55.

The nays were—

Messrs. Appleton, Beatty, of Cedar; Cadwell, Campbell, Cardell, Close, Crawford, Danforth, Day, Draper, Duncombe, Ellsworth, Ericson, Evans, Goodspeed, Hanson, Hewett, Hopkirk, Leahy, Lee, Maxwell, McCoy, Paul, Rice, Stewart, Van Meter, Wright, of Mills; and Wright, of Van Buren—Total, 28.

Absent or excused—

Messrs. Ballinger, Bergh, Blake, Bonewitz, Caldwell, Carver, Christoph, Flenniken, Hanan, Hovey, Johnston, Morrison, Peet, Sandry, Teale, Van Deventer, and Williams—Total, 17.

So the report of the Conference Committee was adopted.

## REPORTS OF COMMITTEES.

MR. SPEAKER:—Your Committee on Enrolled Bills ask leave to report that they have examined the following bills and find the same correctly enrolled :

H. F. No. 451, A bill for an act providing for the disposing of the Supreme Court Reports.

H. F. No. 431, A bill for an act providing for taking testimony on application for pardons.

Substitute for H. F. No. 121, A bill for an act to amend an act entitled an act, to amend sections 3662 and 3663, of the Revision of 1860.

H. F. No. 348, A bill for an act to provide information concerning the Deaf and Dumb.

Joint resolution to Congress, relative to homestead settlers.

KNUT E. BERGH, *Chairman pro tem.*

Mr. Newbold offered the following resolution which was adopted by the House:

*Resolved*, That the thanks of the House are eminently due, and hereby tendered to the clerks, sergeant-at-arms, door-keeper, janitors, paper folders, and messengers, of the House, also, postmaster, and his assistant, for their uniform courtesy, efficiency and promptness, with which they have discharged their several duties.

Mr. Leahy moved that a committee of three be appointed to wait on the Governor, and inform him that the House was now ready to adjourn.

The Speaker announced as such committee, Messrs. Leahy, Bergh, and Merrell.

Mr. O'Donnell moved that a committee of three be appointed to wait on the Senate, and inform them that the House was ready to adjourn.

The Speaker appointed as such committee, Messrs. O'Donnell, Kasson, and Gear.

Mr. Irish rose to a question of privilege, and after expressing the sense of the House, as to the estimate in which the Speaker was held by one and all of his associate Representatives, both as a presiding officer, and as a man, he presented in the name of the House, a beautiful cane, on which was inscribed, "To the Speaker of the 14th General Assembly."

Mr. Wilson then addressed the House of Representatives as follows:

GENTLEMEN:—Occasions like this mark an era in the life of any man. Whatever anxiety I may have had, relative to my acceptance, whatever apprehension about what might occur in the future, are now set at rest by your generous act and words. It has always been in your power to make my occupancy of the chair a failure or a success, and lest I should doubt your intentions towards me, you chose, in the goodness of your hearts, to combine and lift me higher than poor men are often lifted and enhance the feelings of respect I have entertained for some of you, the feeling of reverence I have entertained for others, and the feelings of sympathy and admiration I have entertained for all.

While these presents are beautiful and intrinsically valuable, and will always be looked upon with pride, the spirit of kindness that has supported me through the session will be treasured the most sacred and remembered with the greatest pleasure. It has been sometimes difficult and perplexing to detect the proper course, and find the true solution of the parliamentary problem; but my

greatest anxiety has been to keep the House within its own rules without deciding harshly to the injury of any one's feelings, or repelling any member, however modest.

There has been much good nature displayed; even during the most exciting debates, seldom has consent been refused to any one when he desired a hearing, the House rarely using the rules of suppression. The previous question has been scarcely called for, motions to lay on the table almost unheard of, debate rarely cut off by a suspension of the rules, consequently the counsels of those of you who have not a technical knowledge of parliamentary laws have not been hushed; nor a division demanded till the fullest light beamed on every subject.

I am well aware that such unanimity could not have obtained had party spirit ran higher or the minority been more numerously represented; and I would not be understood as pointing to the existence of a germ of the spirit of contention in the minority party on this floor. Among them are some of our best economists, some of our clearest and most logical thinkers, some of the warmest friends of our charitable and educational institutions; some of the most able and outspoken advocates of legislation against monopoly; some whose technical and analytical minds make them peculiarly valuable in perfecting matters before the House; and also some of the finest specimens of the western legislator and man; but in accounting for the singular good feeling in our counsels—suppose the absence of party lines and party spirit has something to do with it, the consequence is, our files are clear; and our most important business disposed of by permitting every subject to stand or fall on its merits, on a division, instead of being suppressed by combinations sustained by technical rules.

The acts done by the Fourteenth General Assembly will be judged by the people. That every member of the House has done his duty to the best of his ability will be conceded by every unprejudiced mind. The charitable and educational interests of the State have been cared for liberally, provision has been made to reclaim juvenile offenders. The Normal School bill is perhaps the only one whose loss is regretted by many of our best citizens, but a desire to keep the expenses of the State within the present levy will in part explain it.

Legislation has been had in the House relative to the vexed question of railroad tariffs, but the question will be only satisfactorily settled when a larger majority for or against such a law is returned to both branches of the Assembly.

We have had a new revision of the laws before us and in our committees much of the session, which has prolonged its duration, but its magnitude and importance required more time than could be given it while the usual session work demanded our attention, which work we find increases as the State grows in population, and her varied industries expand.

Good natured critics have kindly condescended to speak wisely of some of our actions, who would have perhaps been conspicuous for their silence had they been of our number, but the legislator who is true to his convictions of what is right and just, will find sufficient indorsement in an approving conscience, and I doubt not an approving constituency. There is much I have to thank this House for; my gratitude goes out to every individual member. No man just from his plow could succeed to any reasonable degree without just such consideration and support as I have had. You must permit me a life time of gratitude in which to thank you; no poor words I can now express would sufficiently represent me.

#### REPORT OF COMMITTEE.

Mr. Bergh, from Committee on Enrolled Bills, presented the following report:

MR. SPEAKER:—The Committee on Enrolled Bills ask leave to report that they have examined the following bills and find the same correctly enrolled:

S. F. No. 188, A bill for an act authorizing the punishment of railroad companies and other incorporated bodies for violation of the criminal laws of this State.

Also, H. F. No. 396, A bill for an act to legalize deeds and conveyances made by executors.

KNUT E. BERGH, *Chairman pro tem.*

The committee appointed to wait upon the Governor reported that they had discharged that duty, and were discharged.

Also, the committee appointed to wait upon the Senate, reported that they had performed that duty, and were discharged.

Mr. Bergh, from Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills ask leave to report that they have examined the following bills, and find the same correctly enrolled:

H. F. No. 452, A bill for an act to amend an act entitled an act to authorize the appointment of short-hand reporters in circuit courts and district courts.

Also, H. F. No. 446, A bill for an act authorizing the appointment of short-hand reporters in circuit courts and district courts.

Also, S. F. No. 284.

KNUT BERGH, *Chairman pro tem.*

Mr. Bergh, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills respectfully



report that they have this day presented to the Governor for his approval the following bills, viz:

H. F. Nos. 111, 430, 188, 77, 176, 302, 451, 450, 418, 121, 152, 365, 240, 348, 431, 346, 446, and 452.

S. F. Nos. 186, 265, 138, 284, 267, and 234.

Joint resolution relative to homestead entries.

KNUT BERGH, *Chairman pro tem.*

Mr. Johnson, from the Committee on Engrossed Bills submitted the following report:

MR. SPEAKER:—The Committee on Engrossed Bills, ask leave to report that they have examined the following bill, and find the same correctly engrossed:

H. F. No. 11, A bill for an act to amend an act passed by the 9th General Assembly, entitled “An act to amend chapter forty-five of the Revision of 1860.”

JOHNSON, *Chairman.*

Mr. Green, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER:—Your Committee on the Judiciary, to whom was referred Substitute for S. F. No. 52, A bill for an act to amend chapter 175, laws of 13th General Assembly, entitled “An act providing additional fees for sheriffs, constables, and others in certain criminal cases, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

GREEN, *of Committee.*

Mr. O'Donnell moved that the House adjourn.

The motion prevailed.

The Speaker declared the House adjourned until the third Wednesday in January, 1873, at 2 o'clock P. M.

ATTEST:

JOHN J. SAFELY, *Chief Clerk.*



# TITLES OF ACTS AND RESOLUTIONS

OF THE

## General Assembly of the State of Iowa,

PASSED AT THE REGULAR SESSION OF 1872.

CHAPTER.	NO. OF FILE.
1. To fix the time of holding the district courts in the 11th judicial district.....	H. F. 2
2. To change the times of holding the district courts in the 8th judicial district.....	S. F. 2
3. In relation to certain school taxes in the independent school district of Springdale.....	S. F. 19
4. To legalize the organization of Shiloh Presbyterian church.....	S. F. 10
5. To legalize the incorporation of the Burlington & Southwestern Railway Co.....	S. F. 38
6. To authorize the appropriation of money to build bridges.....	S. F. 51
7. To facilitate the construction of the Chicago, Clinton & Dubuque Railroad Company, &c.....	H. F. 34
8. To authorize the appointment of a commission to examine and report upon losses of settlers upon Des Moines river lands, &c.....	sub. for H. F. 1
9. To legalize the acts of the city council of Clinton.....	H. F. 29
10. To appropriate money to pay temporary officers, &c., for the 14th General Assembly.....	H. F. 102
11. To regulate taxes and the collection thereof, voted to aid in the construction of railroads.....	S. F. 60
12. To legalize the sale by the auditor of Washington county of certain lands.....	H. F. 23
13. To repeal chapter 56, acts of 11th General Assembly.....	H. F. 56
14. To provide for the payment of the per diem of Martin E. Kaier.....	H. F. 195
15. To amend section 6, chapter 92, acts of the 12th General Assembly.....	H. F. 72
16. To change the time and manner of administering official oaths to school directors.....	H. F. 207
17. To allow all appeals to the supreme court from Tama county to be taken to Des Moines, &c....	S. F. 112

18. Requiring specified acts and duties of railroad companies, &c.....H. F. 229
19. To legalize the organization of the independent school district of New Hartford.....S. F. 99
20. To legalize the organizations of the townships of Silver Lake and Lloyd.....H. F. 99
21. To legalize the plat of the town of Atlantic, etc..S. F. 129
22. To enable the county of Appanoose to transfer the bond fund, in the county treasury of said county, to swamp land fund .....S. F. 59
23. To legalize the plat of the village of Northwood, etc.....H. F. 132
24. To amend section 1103 Revision of 1860.....H. F. 74
25. Fixing the time of holding district courts in Chickasaw county, etc.....H. F. 216
26. To regulate appeals to the supreme court of Iowa.S. F. 131
27. Providing the manner in which the fees of jury-men and county expenses shall be paid in cases of change of venue.....Sub. for H. F. 123
28. To legalize the incorporation of the independent school district of Stanwood, etc.....H. F. 230
29. To amend section 5, chapter 11, acts of the 14th General Assembly.....S. F. 113
30. To legalize the acts of the independent school district of Ossian, etc.....S. F. 101
31. To legalize the incorporation of the town of Newton, etc.....S. F. 140
32. To provide that the board of trustees of the incorporated town of Grinnell shall have control of Hazlewood cemetery .....H. F. 118
33. To legalize the acts of William H. Price, etc.....S. F. 68
34. To legalize the incorporation of the town of Corn- ing, etc .....H. F. 270
35. To change the time of holding the district courts of the 9th judicial district.....S. F. 72
36. To give the consent of the legislature to the purchase by the U. S. of certain real estate.....S. F. 49
37. Defining the meaning of the term "newspaper" as used in chapter 118, acts of the 13th General Assembly.....H. F. 13
38. To amend chapter 79, Rev. of 1860, etc...Sub. for H. F. 6
39. To authorize incorporated towns to aid in the construction of roads leading thereto.....H. F. 40
40. Authorizing the index to the real and chattel mortgage records in Johnson county, to be copied into new books, etc.....H. F. 171
41. To protect feeders of stock.....H. F. 97

42. To repeal certain laws relating to the prosecution of claims of the State against the federal government.....H. F. 141
43. To authorize circuit judges to approve the bonds of county offices in certain cases .....H. F. 280
44. To legalize the acts of the independent school district of Mason City.....H. F. 249
45. To release the interest of the State in certain lots in Estherville, to Isaac Skinner, Jr.....H. F. 144
46. Making an additional appropriation for the Iowa hospital for the insane at Independence.....S. F. 65
47. To provide for the establishment, etc., of free public libraries in cities and incorporated towns...H. F. 24
48. To legalize the annexation of territory to the city of Pella, etc .....H. F. 269
49. Legalizing the formation of independent school district No. 1, Bloomfield township, Polk co....H. F. 212
50. To legalize the acts of the trustees, mayor, and recorder of the town of Sharon .....H. F. 225
51. To legalize the acts of the board of trustees of New Albany township, Story county.....S. F. 105
52. To legalize the organization of the township of Highland, in O'Brien county.....H. F. 109
53. To legalize the acts of Robert E. Montgomery ...H. F. 147
54. To legalize appropriations made and county warrants issued by the board of supervisors of Bremer county, Iowa, for bridge purposes.....S. F. 195
55. To enable townships to adopt the provisions of chapter 26, acts of 13th General Assembly. . .S. F. 8
56. To legalize the organization and issuing of the bonds of the independent school district of New Cherokee, Iowa .....H. F. 125
57. To legalize the organization of the independent school district of Elm Grove, etc .....H. F. 213
58. To enable cities, towns, and counties to settle, adjust and compound their indebtedness, and to provide for the payment of the same.....H. F. 218
59. To legalize the annexation of certain territory to the city of Knoxville... .....H. F. 16
60. To provide for the taxing up of rafts, logs and sawed lumber .....H. F. 203
61. To limit taxation for teachers' and contingent funds in school districts .....H. F. 178
62. To amend chapter 86, acts of 12th General Assembly, etc..... Sub. for H. F. 150
63. To provide for the payment of the per diem and expenses of the commissioners, appointed under ch. 8, acts of the 14th General Assembly, etc..S. F. 207

64. To encourage and promote immigration to the  
State of Iowa .....S. F. 201
65. To amend article 2, chapter 64, Revision of 1860...H. F. 103
66. For the encouragement of horticulture and for-  
estry .....H. F. 62
67. To legalize the incorporation of the Des Moines,  
Boone & Northern Railway Co., etc .....H. F. 234
68. To appropriate money for the maintenance of the  
State University .....H. F. 341
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**HOUSE FILES—**

- No. 1, to appoint a commission to report losses to settlers on on Des Moines River lands; introduced and referred 51, substitute for report, special order 139, passed 143; Senate 166, enrolled 168, signed 173.
- 2, to fix the time of holding court in the 11th judicial district; introduced and referred 52, report 72, passed 73, Senate 89, enrolled 103, signed.
- 3, to repeal chapter 102 acts of the 13th General Assembly; introduced and referred 52, report 102, indefinitely postponed 292.
- 4, to protect the people of Iowa from empiricism; introduced and referred 73, report 489, indefinitely postponed 607.
- 5, to insure the better education of practitioners of dental surgery; introduced and referred 73, report 273, postponed 744, lost 843.
- 6, to amend chapter 79 Revision of 1860, creating mechanics liens etc.; introduced and referred 73, re-committed 165, report 219, passed 267, Senate 385, enrolled 394, signed 412.
- 7, to protect the makers of promisory notes, etc., from fraud; introduced and referred 73, report 141; 164.

## HOUSE FILES—CONTINUED—

- No. 8, to amend chapter 54 acts of the 13th General Assembly; introduced and referred 74; report 145, tabled 196.
- 9, for the protection of the life and health of miners; introduced and referred 74, report 287, passed 362, Senate 659, enrolled 688, signed 693.
- 10, to repeal chapter 48 acts of the 12th, and chapter 102 acts of the 13th General Assembly; introduced and referred 74, report 202, indefinitely postponed 292.
- 11, to amend an act entitled an act to amend chapter 45 Revision of 1860; introduced and referred 74, report 141, recommitted 198, report 417, engrossed 833, recommitted 895, engrossed 913.
- 12, to prescribe rules and regulations for railroads, etc.; introduced and referred 80, report 429, passed 486, Senate 530, returned 861.
- 13, to define the meaning of the term "newspaper;" introduced and referred 80, report 117, passed 121, Senate 380, enrolled 395, signed 413.
- 14, for taxation of railroad property; introduced and referred 80, report 602.
- 15, to amend the acts granting tax to aid railroads; introduced and referred 80, report 132, indefinitely postponed 153.
- 16, to prescribe the time and manner of collecting taxes voted to aid railroads; introduced and referred 80, report 131, 154, 155, amended 156, passed 157.
- 17, to amend the school law; introduced and referred 81, report 180, recommitted 225, report 261, passed 262, Senate 575, 788, enrolled 813, signed 831.
- 18, to amend section 8, chapter 26 acts of the 13th General Assembly; introduced and referred 81, report 133, recommitted 193.
- 19, to authorize the appointment of deputy county auditor; introduced 91, referred 92, report 117, engrossed 151, passed 256, Senate 635, enrolled 639, signed 665.
- 20, making it unlawful for any member of the General Assembly to receive mileage, &c.; introduced and referred 92, report 132, postponed 184, 218, recommitted 237.
- 21, making an appropriation for the Iowa Soldiers' Orphans Home; introduced and referred 92, report 497, passed 603, enrolled 732, Senate 748, signed 770.

## HOUSE FILES—CONTINUED—

No. 22, to amend chapter 65, acts of the 13th General Assembly; introduced and referred 92, report —, postponed 196, recommitted 224, report 260, recommitted —, report 376, engrossed 471, passed 472, Senate 613, 641, enrolled 666, signed 705.

23, to legalize the sale of certain lands; introduced and referred 92, report 123, 144, passed 147, Senate 168, enrolled 199, signed 213.

24, to create public libraries; introduced and referred 92, report 272, passed 360, Senate —, enrolled 442, signed 480.

25, to abolish the office of county superintendent; introduced and referred 92, report 179, 446.

26, to amend chapter 86, acts of the 10th General Assembly; introduced and referred 92, report 202, engrossed 246, passed 369, Senate 635, enrolled 639, signed 665.

27, to limit the time in which the legality of organization of cities, etc., can be questioned, etc.; introduced and referred 92, report 118, recommitted 131, report 305.

28, to amend section 314 of the revision of 1860; introduced and referred 93, report 707.

29, to legalize certain acts of the city of Clinton; introduced and referred 93, report 132, passed 143, senate 172, enrolled 173, signed 174.

30, to regulate applications for pardon; introduced and referred 95, report 118, indefinitely postponed 180.

31, to prevent jurors from drinking intoxicating liquors; introduced and referred 100, report 118, indefinitely postponed 121.

32, to amend section 3670, chapter 146, of the revision of 1860; introduced and referred 100.

33, to authorize county auditors to take acknowledgements; introduced and referred 100, report 150, engrossed 404, recommitted 570, report 690.

34, to reduce the allowance of postage, etc., of members; introduced and referred 100, report 132, indefinitely postponed 184.

35, to amend chapter 116 of the revision of 1860; introduced and referred 100, report 109, indefinitely postponed 120, report 810, lost 811.

36, to legalize the acts of the independent school district of Missouri Valley; introduced and referred 100.

37, to suspend the issuing of writs in certain cases; introduced and referred 101.

## HOUSE FILES—CONTINUED—

- No. 38, to amend chapter 113 of the revision of 1860; introduced and referred 103.
- 39, to preserve fish; introduced and referred 103, report 350, passed 663, Senate 699, enrolled 721, signed 770.
- 40, to authorize towns, etc., to appropriate certain portion of road tax; introduced and referred 103, report 133, passed 164, Senate 393, enrolled 394, signed 413.
- 41, to enable associations to become body corporate for certain purposes; introduced and referred 103, report 232, passed 359, Senate 575, enrolled 588, signed 608.
- 42, to amend section 781, of the Revision of 1860; introduced and referred 103, report . . passed 505, Senate 870, enrolled 878, signed 901.
- 43, to change the time of electing superintendent of common schools; introduced and referred 104, report 179, indefinitely postponed 228.
- 44, to repeal chapter 101, Revision of 1860; and chapter 126, acts of the 13th General Assembly; introduced and referred 109, report 708.
- 45, to provide an institution for the deaf and dumb; introduced and referred 109.
- 46, to fix the salaries of county officers; introduced and referred 110, report 264, recommitted 443, 465, report 502.
- 47, to legalize the incorporation of the Burlington & Northwestern railway company; introduced and referred 110, report 123, indefinitely postponed 153.
- 48, to amend chapter 100, acts of the 12th General Assembly; introduced and referred 110, report 220, postponed 458, recommitted 538, report 690.
- 49, to repeal part of chapter 118, acts of the 11th General Assembly; introduced and referred 111, report 149, recommitted 152, report 200, special order 207, engrossed 248, recommitted 300, report 317, passed 318.
- 50, to amend section 2, chapter 115, acts of the 10th General Assembly; introduced and referred 111.
- 51, to amend section 2, chapter 173, acts of the 9th General Assembly; introduced and referred 111; report 141, 231, engrossed 459, recommitted 644.
- 52, to amend section 1, chapter 113, acts of the 12th General Assembly; introduced and referred 111.

## HOUSE FILES—CONTINUED—

- No. 53, to reduce the amount of postage to members; introduced and referred 111, report 122, recommitted 147, report 163, recommitted 225, 249, report 284.
- 55, to amend act defining the duty of superintendent of common schools; introduced 111, report 179, referred 220, report 446.
- 56, to legalize the acts of the board of directors of independent school district of Steamboat Rock; introduced 111, report 133, recommitted 177, report 754.
- 57, to secure to laborers upon railroads the payment of their wages; introduced and referred 111.
- 58, to repeal chapter 56, acts 11th General Assembly; introduced 111, referred 112, Senate 182, enrolled 199, signed 213.
- 59, to provide for the establishment of temporary county seats; introduced 112, report 177, re-referred 227, report 577, referred 727, report 779, passed 785.
- 60, to amend section 307, of Revision of 1860; introduced 112, report 142, postponed 196, indefinitely postponed 242.
- 61, to amend section 2524 of the Revision of 1860, introduced 118, report 141, indefinitely postponed, 197.
- 62, to encourage horticultural forestry, introduced and referred 118, report 162, engrossed 215, re-referred 236, report 250, postponed 459, passed 537, Senate 596, enrolled 600, signed 608.
- 63, to provide for the preservation of fish, introduced 119.
- 64, to facilitate the construction of the Chicago, Clinton & Dubuque Railroad, etc., introduced and referred 119, report 122, special order 129, report and amendment 138, passed 139, Senate 167, enrolled 168, signed 173.
- 65, to apportion the State into representative districts; introduced 119, report 587, passed 668.
- 66, to make persons giving or selling intoxicating liquors liable for damages accrued by the use of the same; introduced 119, report 210, recommitted 383, report 502, referred 650, lost 895.
- 67, to fix the compensation of members of the General Assembly; introduced 119, report 144, indefinitely postponed 196.
- 68, to repeal sections 7 and 8, chapter 100, acts of the 12th General Assembly; introduced 119, report 133, recommitted 185, report 210, indefinitely postponed 381.

## HOUSE FILES—CONTINUED—

- No. 69, to protect turkey, grouse, etc ; introduced 119, report 261.
- 70, to empower township trustees to purchase grounds for cemetery purposes ; introduced 120, report 145, referred 146, report 686, passed 744.
- 71, to permit mill owners to construct dams near the outlets of meandered lakes ; introduced 123, report 142, recommitted 197, report 286, referred 632.
- 72, to amend section 6, chapter 92, 12th General Assembly ; introduced 123, report 133, passed 185, Senate 208, amendment adopted 214, enrolled 216, signed 247.
- 73, to amend section 2, chapter 172, 9th General Assembly ; introduced 124, report 231, passed 458, Senate 767, enrolled 786, signed 820.
- 74, to amend section 1103 of the Revision of 1860 ; introduced 124, report 163, recommitted 184, report 137, passed 191, 192, Senate 297, amendments concurred in 298, enrolled 302, signed 309.
- 75, to provide for the construction of public bridges ; introduced 124, report 285, passed 391.
- 76, to amend section 710 of Revision of 1860 ; introduced 124, report 180, indefinitely postponed 228.
- 77, to amend chapters 118 and 120 of the Revision of 1860 ; introduced and referred 129, report 613, enrolled 899, passed 727, signed 913.
- 78, in relation to tax for bridges ; introduced 129, report 150, recommitted 150, report 180, passed 228, Senate 484, amendment adopted 548, enrolled 571, signed 608.
- 79, to amend section 828, of Revision of 1860 ; introduced and referred 129, report 161, lost 207.
- 80, to prevent and punish crime ; introduced and referred 134, report 162, re-referred 218, substitute adopted 652, passed 653.
- 81, to amend section 1, chapter 155, acts of 12th General Assembly ; introduced 134, report 140, lost 198.
- 82, to repeal chapter 171 of 12th and chapter 174 of 13th General Assemblies ; introduced 134.
- 83, same as 82 ; introduced 134, report 263, lost 692.
- 84, for the relief of Marion county ; introduced 134, report 343.
- 85, to amend chapter 45 of the Revision of 1860 ; introduced 134, report 219, lost 379.



HOUSE FILES—CONTINUED—

- No. 86, to amend chapter 61 of Revision of 1860; introduced 134, report 160, re-committed 207, report 304, 386, engrossed 576, lost 684.
- 87, to appropriate money to complete Washington monument; introduced 134, report 162, re-committed 208.
- 88, to amend section 1088 of Revision of 1860; introduced 134, report 286, passed 633.
- 89, to protect mutual loan societies; introduced 135.
- 90, to amend chapter 29, acts of 9th General Assembly; introduced 135, report 286, passed 513, Senate 699, enrolled 721, signed 770.
- 91, to tax railroads and their property; introduced and referred 146, report 601.
- 92, to appoint R. R. commissioners, introduced and referred 146.
- 93, to amend chapter 153, acts of 13th Gen'l Assembly, introduced 146, report 163, engrossed 225, passed 226.
- 94, to change the mode of electing township trustees, introduced 146, report 251, lost 444.
- 95, to amend section 4, chapter 106, acts of 13th General Assembly, introduced 146, report 418.
- 96, to prevent the manufacture and sale of dangerous fluids, introduced 151, report 163, 230, referred 461, report 681.
- 97, to protect feeders of stock, introduced 151, report 198, re-committed 207, report 296, engrossed 322, passed 324, Senate 393, enrolled 394, signed 413.
- 98, for the satisfaction of mortgages, introduced and referred 151.
- 99, to legalize the organization of Silver Lake, introduced 151, report 180, amended 196, passed 197, Senate 271, enrolled 290, signed 300.
- 100, to legalize the acts of board of supervisors of Lucas Co., introduced 151, report 335, re-committed 336, report 418, passed 728, Senate 757, enrolled 786, signed 820.
- 101, to prohibit clerks and deputies from practicing in certain courts, introduced 132, report 163, passed 227, Senate 559, enrolled 571, signed 608.
- 102, to appropriate certain money to pay temporary officers of General Assembly, introduced 157, amend 166, passed 170, Senate amendment 174, concurred in 175, engrossed, 177.

## HOUSE FILES—CONTINUED—

- No. 103, to suppress intemperance, introduced and referred 165, report 251, passed 316, Senate....enrolled ....., signed 608.
- 104, to amend sec. 35, chap. 167, acts 13th General Assembly, introduced 165, report 305, indefinitely postponed 747.
- 105, to tax venders of patent rights, introduced 172, report 305.
- 106, to authorize Secretary of State to subscribe for certain military history of Iowa, introduced 177, referred 178.
- 107, to enable townships to transfer certain tax, introduced 178, referred 232, report 328, engrossed 520, passed 684, returned 667, Senate 816, enrolled 834, signed 852,
- 108, to legalize the organization of Center, O'Brien Co., introduced 178, report 221, passed 222, Senate 570, signed 608.
- 109, to legalize the organization of the township of Highland, O'Brien Co., introduced and referred 188, report...., passed 221, Senate 461, enrolled 472, signed 480.
- 110, to prohibit liquor dealers from holding certain offices, introduced 278.
- 111, to define the duties of State librarian, introduced 181, report 284, passed 682, Senate 870, 887, enrolled 899, signed 913.
- 112, to repeal chapter 61, 11th General Assembly, and section 3, chapter 160, 12th General Assembly, introduced 181, report 194, indefinitely postponed 242.
- 113, in relation to partition fences, introduced 181, report 237, indefinitely postponed 459.
- 114, to amend chapter 100, acts of 12th General Assembly, introduced 181, report 375.
- 115, to prescribe the duties of druggists, introduced 181, report 273.
- 116, to define the weight of a bushel of corn with the cob, introduced 181, returned 201, passed 291.
- 117, to fix the compensation of State librarian, etc., introduced 181, report 353.
- 118, to give to the town of Grinnell, rights over Hollywood cemetery, introduced 181, report 260, passed 341, Senate 372, enrolled 391, signed 404.
- 119, to provide for a more regular attendance in public schools, introduced 181, referred 182, report 342.

## HOUSE FILES—CONTINUED—

No. 120, to amend section 720, of the revision of 1860, introduced 182, report 375.

121, to amend sections 3362, 3363 and 3364, of revision of 1860, introduced 183, . . . . passed 877, Senate 902, enrolled 909, signed 913.

122, to amend chapter 1544, of revision of 1860, introduced and referred 187, report 251, postponed 464, tabled 773.

123, to amend an act to regulate county expenses in change of venue in certain cases, introduced 187, report 265, passed 266, Senate 347, enrolled 371, signed 384.

124, to legalize the organization of Sabula, Ackley & Dakota Railway Co., etc., introduced and referred 187, withdrawn 372.

125, to legalize the organization of independent school district of New Cherokee, introduced 187, report 273, passed 378, Senate 461, enrolled 472, signed 480.

126, to remove an escheat, introduced 187, referred 188, report 352, lost 742.

127, in relation to the organization of townships, introduced 188, report 508, passed 746.

128, to amend section 824, chapter 46, Revision of 1860; introduced 188, report 210, indefinitely postponed 381.

129, to amend section 3, chapter 138, of acts of 13th General Assembly; introduced 188, report 231, passed 454, Senate 767, enrolled 786, signed 820;

130, to amend section 2201, of the Revision of 1860; introduced 188, report 209, lost 381.

131, to amend section 859, of Revision of 1860; introduced 188, report 220.

132, to legalize the plat of Northwood; introduced 188, report 194, passed 222, Senate 271, enrolled 290, signed 300.

133, to amend section 722, chapter 45, of the Revision of 1860; introduced and referred, 188, report 286.

134, to protect and provide for the registration of bonds of cities, etc.; introduced and referred 188.

135, to repeal section 1804, of Revision of 1860; introduced 188, report 194, re-referred 242, report 376.

136, to repeal sections 4149 and 4152, of revision of 1860; introduced 188, report 305, 414, lost 562, passed 570, Senate 888, enrolled 899, signed 905.

137, to suppress intemperance, etc.; introduced 189, report 305.

## HOUSE FILES—CONTINUED—

- No. 138, to protect the election of voluntary political associations, etc.; introduced 189, report 419.
- 139, to prescribe the manner of paying county orders; introduced 189, report 295.
- 140, to authorize board of supervisors to cancel county warrants, etc.; introduced 189, report 231, indefinitely postponed 459.
- 141, to repeal certain laws relating to the prosecution of certain claims against the general government; introduced and referred 189, report 200, engrossed 242, passed 368, Senate 385, enrolled 394, signed 413.
- 142, to collect additional taxes on the gross receipts of railroads; introduced 194, report 602.
- 143, to compel cultivators of osage hedge to trim the same; introduced 194, report 210, recommitted 381, report 565, lost 623, reconsider 650, lost 651.
- 144, for the relief of Isaac Skinner; introduced 195, report 250, passed 366, Senate 396, signed 404.
- 145, to reimburse B. F. Jenkins; introduced and referred 195, report 210, recommitted 382, report 715.
- 146, to provide a committee on claims; introduced 195.
- 147, to legalize the acts of Robert E. Montgomery; introduced 195, report 232, passed 363, Senate 461, enrolled 472, signed 481.
- 148, to amend chapter 95, acts of the 12th General Assembly; introduced 195, report 265, passed 661.
- 149, to amend sections 1775 and 1984, of Revision of 1860; introduced 195, report 273, engrossed 538, lost 647.
- 150, to amend chapter 86, acts of 12th General Assembly; introduced 195, report 100, report 506, passed 506, Senate 519, enrolled 526, signed 538.
- 151, to pay school directors for their services; introduced 195, indefinitely postponed 242.
- 152, to amend section 3782, revision of 1860; introduced 195, report 565, passed 735, Senate 899, enrolled 908, signed 913.
- 153, in relation to the collection of taxes in certain cases; introduced 195, report 220, indefinitely postponed 457.
- 154, to amend chapter 123, revision of 1860, introduced 198, report 387.
- 155, to regulate the sale of personal property, introduced 202, report 242, 305.

## HOUSE FILES—CONTINUED—

- No. 156, to establish maximum rates for freight on lines of railroad, introduced 202, report 602.
- 157, to abolish the office of Adjutant-General, &c., introduced 202, report 503.
- 158, to amend section 2, chapter 177, acts of the 13th General Assembly, introduced 202, report 252, passed 463, Senate 757, enrolled 786, signed 820.
- 159, to amend section 1583, chapter 64, of revision of 1860, introduced 203, report 232, re-referred 232, report 706.
- 160, to repeal part of chapter 95, acts of the 12th General Assembly, introduced 203, report 252, lost 459, report 590.
- 161, to establish an independent school district in West Grove; introduced 203, report 237, indefinitely postponed 459.
- 162, to require applicants to give bonds in certain cases, introduced 203, report 220, lost 458.
- 163, to protect the insane, introduced 203, report 439, re-referred 516, report 610, passed 752, Senate 795, enrolled 813, signed 831.
- 164, to equalize the rights of parents, introduced 203, report 232, indefinitely postponed 459.
- 165, to protect game, introduced 203.
- 166, to empower cemetery associations to take private property in certain cases, introduced 203.
- 167, to amend section 2366, revision of 1860, introduced 203, report 707, passed 751.
- 168, to amend chapter 54, acts of the 13th General Assembly, introduced 203, report 221, postponed 458.
- 169, to amend chapter 98, acts of the 12th General Assembly, introduced 204, referred 339, report 446, passed 447, Senate 645, enrolled 666, signed 704.
- 170, to relinquish an escheat in Des Moines county, introduced 204, report 303, passed 445, Senate 612, enrolled 634, signed 652.
- 171, to authorize the index of real and chattel mortgage record of Johnson county to be copied, introduced and passed 204, Senate 385, enrolled 394, signed 413.
- 172, to legalize the acts of Henry Hospers, introduced 205, report 707, passed 855, Senate 858, enrolled 867, signed 873.
- 173, fixing the compensation of members of General Assembly, introduced 211, report 264, postponed 465.

## HOUSE FILES—CONTINUED—

No. 174, to amend section 1, chapter 171, acts of 12th General Assembly, introduced 211.

175, to provide for the organization of independent school districts, introduced 211, report 273, passed 441, Senate 767, enrolled 785, signed 820.

176, to amend section 1317, chapter 55, revision of 1860, introduced 211, report 377, passed 616, Senate 888, enrolled 899, passed 913.

177, to amend section 17, chapter 173, acts of 9th General Assembly, introduced 211, report 264, indefinitely postponed 464.

178, to limit taxation for teachers' and contingent fund in school districts, introduced 212, report 261, passed 276, Senate 522, enrolled 532, signed 538.

179, to provide for the submission of certain amendments to the constitution, introduced 212, passed 249, re-committed 377.

180, to amend section 762, revision of 1860, introduced 212, report 376.

181, for the relief of certain claimants of lands granted to the State, introduced 212, report 680, passed 791, Senate 829, enrolled 848, signed 852.

182, to amend section 827, revision of 1860, introduced 212, report 220, engrossed 431, lost 443.

183, to amend section 3670, chapter 146, revision of 1860, introduced 212.

184, to provide for the construction of bridges in certain cases; introduced 212, report 296, indefinitely postponed 557.

185, to amend section 65, chapter 172, acts of 9th General Assembly; introduced 212, report 285.

186, to amend section 1, chapter 151, acts of 9th General Assembly; introduced 212, report 707.

187, to repeal part of section 78, chapter 172, acts of 9th General Assembly; introduced 212, report 342.

188, to amend chapter 175, acts of 13th General Assembly; introduced 212, report 264, engrossed 465, passed 651, Senate 885, enrolled 899, signed 913.

189, to amend section 313 Revision of 1860; introduced 213, report 416.

190, to amend section 4, chapter 148, acts of 13th General Assembly; introduced 213, report 274.

191, to incorporate the Sabula transit company; introduced 213, withdrawn 372.

192, to provide a committee on claims; introduced 213, report 283.

## HOUSE FILES—CONTINUED—

No. 193, to amend section 711, Revision of 1860; introduced 213, report 276, engrossed 468, passed 645.

194, to amend section 40, chapter 138, acts of 12th General Assembly; introduced 214, report 664, passed 729, Senate 892.

195, to provide for the payment of the per diem of Hon. M. E. Kaier; introduced 214, report 195, passed 218, Senate 229, enrolled 238, signed 247.

196, authorizing secretaries of school boards to administer oath of office to sub-directors; introduced 223, report 237.

197, making counties responsible for collection and payment of school fund interest; introduced 223, report 261, passed 517, Senate 612, enrolled 634, signed 653.

198, to amend section 3293, revision of 1860, introduced 223, report 276, report 352.

199, for the protection of inn-keepers, introduced 223, report 681, passed 746.

200, to repeal section 1, chapter 38, acts 13th General Assembly, introduced 223, report 260, indefinitely postponed 464.

201, to amend section 4481, revision 1860, introduced 224, report 387, passed 743.

202, to repeal chapter 28, acts of 11th General Assembly, introduced 224, report 274, lost 468.

203, to provide for the taking up of rafts and logs, introduced 224, report 430, passed 432, Senate 515, enrolled 520.

204, to amend section 835, revision 1860, introduced 224, report 251, passed 460, Senate 550, Senate amendment 553, enrolled 571, signed 608.

205, to amend section 799, revision 1860, introduced 224, report 375, passed 730.

206, to amend section 1, chapter 38, acts of 10th General Assembly, introduced 224, report 387, indefinitely postponed 743.

207, to change the time and manner of administering oath to school directors, introduced 225, report 233, passed 233, Senate 254, enrolled 268, signed 281.

208, to restore territory set off for school purposes, introduced 238, report 285, engrossed 555, passed 649, Senate 875, enrolled 886.

209, to tax dogs for the protection of sheep, introduced 238, report 350, lost 380, referred 473, report 546, lost 547.



## HOUSE FILES—CONTINUED—

No. 210, to provide for the compilation, publication and distribution of certain laws, introduced 238, report 375.

211, to amend section 2, chapter 89, acts of 13th General Assembly, introduced 238, report 264, engrossed 465, passed 644.

212, to legalize the formation of independent school district No. 1, Bloomfield township, Polk county, introduced 238, report 277, 306, 332, passed 332, engrossed 442, signed 480.

213, to legalize the organization of the independent school district of Elm Grove, &c., introduced 238, report 333, passed 333, Senate 484, signed 573.

214, to prohibit certain officers from receiving passes over railroads, introduced 238, report 263, indefinitely postponed 465.

215, to regulate the division of teachers' fund, &c., introduced 239, report 285, indefinitely postponed 555, re-considered 889, lost 890.

216, to fix the time of holding district courts in Chickasaw county, &c., introduced 239, report 243, passed 244, Senate 282, enrolled 300, signed 309.

217, to encourage and promote manufacturing in the State, introduced 239, report 303, indefinitely postponed 568.

218, to enable municipal corporations to compromise, &c., their debts, introduced 240, report 240, passed 241, Senate 484, enrolled 485, signed 507.

219, to pay John Garraghty for legal services, introduced 244, report 532, passed 772, Senate 843, enrolled 848, signed 853.

220, for the organization of independent school districts, introduced 252, report 261, indefinitely postponed 464.

221, to amend section 208, chapter 100, acts of 12th General Assembly, introduced 252, report 264, passed 466.

222, regulating the election of township trustees, introduced 252, report 274, passed 700.

223, to prevent the manufacture and sale of certain fluids, introduced 253.

224, To provide for the organization of Belknap county, introduced 253, report 577, lost 731.

225, To legalize the acts of mayor, &c., of the town of Sharon, introduced 253, report 260, passed 838, Senate 436, enrolled 468, signed 480.

## HOUSE FILES—CONTINUED—

- No. 226, To amend section 4055 Revision 1860, introduced 253, report 339, report 367, report 543, passed 660, enrolled 834, Senate 831, signed 852.
- 227, To supplement an act to provide for certain amendments to the constitution, introduced 253.
- 228, To amend chapter 136 acts of the 12th General Assembly, introduced 253, report 415.
- 229, Requiring specified acts and duties of railroad companies, introduced 256, report 256, passed 257, Senate 271, enrolled 283, signed 290.
- 230, To legalize the incorporation of the independent school district of Stanwood, introduced 267, report 285, passed 293, enrolled 371, Senate 347, signed 384.
- 231, To amend section 4145 Revision 1860, introduced 267.
- 232, To amend the school laws, introduced 267, report 285, indefinitely postponed 355.
- 233, To amend section 719, chapter 45, Revision 1860, introduced 268, report 353.
- 234, To legalize the incorporation of the Des Moines, Boone & Northern Railway Company, introduced 268, report 306, passed 498, Senate 596, enrolled 600, signed 608.
- 235, To punish negligent railroad employees, introduced 268, report 352.
- 236, To amend section 3982, Revision 1860, introduced 268.
- 237, To legalize the donation of certain lands, introduced 269, report 430, passed 455, Senate 554, report 550, enrolled 571, signed 608.
- 238, To provide for the exemption of tax on land conveyed to railroads, introduced 269, report 439, passed 511, enrolled 853, Senate 847, signed 873.
- 239, To amend sections 748 and 759, Revision of 1860, introduced 266, report 353, passed 732.
- 240, To amend chapter 172, acts 9th General Assembly, introduced 270, report 341, passed 437, Senate 895, enrolled 908, signed 913.
- 241, To provide for an additional penitentiary, introduced 277, report 701.
- 242, To legalize the acts of J. L. Cobb, introduced 277, report 328, passed 830.
- 243, To amend section 1984, Revision 1860, introduced 277, report 342.

## HOUSE FILES—CONTINUED—

No. 244, To amend section 7, chapter 148, acts of 13th General Assembly, introduced 277, report 590.

245, To regulate the sale of intoxicating liquors, &c., introduced 277.

246, In relation to extraordinary expenditures, &c., by municipal corporations, introduced 277, report 351, lost 733.

247, To repeal section 858 and amend sections 824 and 842, Revision 1860, introduced 277, report 415.

248, To extend the powers of cities organized under special charters, introduced 277, report 419.

249, To legalize the acts of independent school district of Mason city, introduced 278, report 336, passed 337, enrolled 429, signed 442.

250, To amend section 3307, Revision 1860, introduced 278, report 352, passed 741.

251, To amend section 2040, Revision 1860, introduced 278, report 386, passed 729.

252, To amend sections 15 and 17 of school laws, introduced 278, report 342.

253, To amend section 778, Revision 1860, introduced 278, report 374, report 438.

254, To amend section 781, Revision 1860, introduced 278, report 417.

255, to give custody of transfer record to county recorder; introduced 272, report 438.

256, to amend section 742, chapter 45, Revision 1860; introduced 278, report 508, report 601.

257, to devote the public square in Algona to court house purposes; introduced 278, report 304, passed 685.

258, to amend section 2708, Revision 1860; introduced 278, report 544.

259, to legalize the official bonds of Greattrax, etc.; introduced 278, report 439.

260, to amend section 3293, Revision 1860; introduced 287, report 438.

261, to amend section 2, chapter 72, Revision 1860; introduced 287, report 418, engrossed 749.

262, to legalize the sale of indemnity swamp lands of Hancock county to B. L. Patch; introduced 287, report 452, passed 458, Senate 872, enrolled 878, signed 901.

263, to amend section 4148, Revision 1860; introduced 287, report 414.

264, to amend section 742, Revision 1860; introduced 288, report 509, referred 565, report 601, read and referred 631, passed 753.

## HOUSE FILES—CONTINUED—

- No. 265, to provide a state capitol; introduced 295, report 295, postponed 516, referred 565, passed 586, Senate 605, postponed 610, Senate amendment 636, 638, enrolled 649, signed 665.
- 266, for the protection of tax payers in certain cases; introduced 298, report 701.
- 267, to legalize the acts of the board of directors of district township of Delaware; introduced 298, report and passed 334, Senate 267, Senate amendment adopted 462, enrolled 472, signed 652.
- 268, for the compilation of the revenue laws, etc.; introduced 298, report 448, passed 733.
- 269, to legalize the annexation of territory to the city of Pella, etc.; introduced 298, report 375, passed 378, 379, Senate 412, enrolled 442, signed 480.
- 270, to legalize the incorporation of the town of Corning, etc.; introduced 298, report 304, passed 314, Senate 361, Senate amendment 364, enrolled 383.
- 271, to amend section 1, chapter 51, acts of 10th General Assembly; introduced 298.
- 272, to promote immigration to the State of Iowa; introduced 298, report 448.
- 273, to amend chapter 160, acts 12th General Assembly; introduced 315, report 418.
- 274, to prohibit the sale and keeping of spiritous liquors; introduced 306.
- 275, to provide against loss of life on railroads; introduced 306, report 601.
- 276, to repeal chapter 106, acts of 13th General Assembly; introduced 306, referred 309, report 601.
- 277, to provide an allowance to the chief justice of supreme court for clerk hire; introduced 307, report 419, passed 531, Senate 605, enrolled 610, signed 652.
- 278, for the protection of birds; introduced 307, report 351, indefinitely postponed 823.
- 279, to tax railroad property, etc.; introduced 310, report 390, engrossed 411, passed 424, Senate 589, enrolled 608, signed 609.
- 280, to enable circuit judges to accept bonds of county officers in certain cases; introduced 315, report 389, passed 390, Senate 396, enrolled 405, signed 442.
- 281, to regulate the assessments on packers of pork, etc.; introduced 324, report 498, lost 658, recommitted 773, report 818, lost 830.

## HOUSE FILES—CONTINUED—

- No. 282, making appropriation for the agricultural college and farm; introduced 324, report 374.
- 283, to provide for a complete geological survey of the State; introduced 236, report 696.
- 284, to provide that any order or judgment of township or county board shall be deemed invalid, etc., in certain cases; introduced 327, report 439.
- 285, to amend chapter 102, acts of 9th General Assembly, introduced 328, report 438.
- 286, to amend chapter 25, acts of 9th General Assembly, introduced 328, referred 375, report 596.
- 287, to locate and provide a new penitentiary, introduced 328.
- 288, to provide for the payment of the claims of D. E. Lyon, introduced 338, report 725, passed 716.
- 289, to provide for the publication of certain laws, introduced 339, lost 624.
- 290, for the relief of Winnebago county, introduced 343, report 509.
- 291, to repeal part of section 1, chapter 23, acts of 9th General Assembly, introduced 343, report 430, lost 557, passed 755, Senate 767, enrolled 786, signed 320.
- 292, for the relief of Harrison county, introduced 344, report 509, referred 591, report 611.
- 393, to provide for the better security of State penitentiary, introduced 344, report 416, postponed 741, lost 844.
- 294, to amend section 735, revision 1860, etc., introduced 344, report 418, tabled 617.
- 295, to amend section 6, chapter 169, acts 9th General Assembly, introduced 345, report 602.
- 296, to promote water power improvements, introduced 354, indefinitely postponed 458, report 613, passed 683, Senate 778, 989, enrolled 813, signed 831.
- 297, permitting suit to be brought against the State, introduced 354, report 439, lost 533.
- 298, regulating railroads, introduced 354, referred 706, passed 758.
- 299, making appropriation to insane hospital at Mount Pleasant, introduced 354, report 440.
- 300, in relation to the insurance, introduced 354, report 664.
- 301, to amend chapter 102, revision 1860, introduced 354, report 439.

## HOUSE FILES—CONTINUED—

No. 302, to amend section 498, revision 1860, introduced 355, report, 439, passed 556, Senate 888, enrolled 899, signed 913.

303, to authorize county surveyors to set time for receiving testimony, introduced 355, report 613, Senate 870, enrolled 878, signed 901.

304, to protect the people from empiricism, etc., introduced 355, report 489.

305, to amend chapter 148, acts of 9th General Assembly, introduced 355, Senate 767, enrolled 785, signed 820.

306, relating to the payment of managers and officers of State institutions, introduced 355, report 417, passed 499, 500.

307, to facilitate the collection of delinquent State taxes, introduced 355, report 417, lost 501.

308, to provide seals for the office of county recorder, introduced 356, referred 417, report 430, referred 454, passed 467.

309, in relation to capital punishment, introduced 356.

310, to repeal section 4244, of revision 1860, introduced 368, report 762.

311, to add a section to chapter 118, revision 1860, introduced 370, report 468, passed 629.

312, to allow appeals to the supreme court from Hardin and Franklin, to be taken to Des Moines, introduced 371, report 437, passed 735, Senate 757, enrolled 786, signed 821.

313, to repeal section 2391, revision 1860, introduced 377.

314, to amend section 1, chapter 28, acts 12th General Assembly, introduced 377, report 387.

315, to protect the people from empiricism, introduced 377, report 489.

316, to increase the compensation of township assessors, introduced 377, report 414.

317, to establish an insurance bureau, &c., introduced 377, report 664.

318, to amend chapter 100, acts 12th General Assembly, introduced 377, report 490.

319, to enjoin the commission of crimes and misdemeanors, introduced 377, report 438.

320, providing for the management of the school fund, introduced 374.

321, relating to the powers of the board of regents of state university, introduced 387, report 449.

## HOUSE FILES—CONTINUED—

- No. 322, to amend chapter 177, acts of 13th General Assembly, introduced 388, report 415.
- 323, to give the people of the State advantage of competition between railroads, introduced 388, report 701.
- 324, to legalize acts of boards of appraisers in certain school lands, &c., introduced 388, report 544.
- 325, to protect holders of policies of life insurance, introduced 388, report 577, engrossed 739, lost 892, reconsidered 893.
- 326, relating to the construction of live fences, introduced 388.
- 327, requiring cities to pay damages in certain cases, introduced 391, report 528, passed 604, Senate 645, enrolled 666, signed 676.
- 328, to provide a speedy settlement of swamp land claims, introduced 394.
- 329, to legalize the organization of independent school district of Alpine, introduced 395, report 415.
- 330, to amend article 7, chapter 22, revision 1860, introduced 395, report 420, passed 580, Senate 699, enrolled 721, signed 790.
- 331, to repeal section 46, chapter 109, acts 13th General Assembly, introduced 395, report 533, engrossed 681, lost 784.
- 332, to provide a system of normal schools, introduced 396, report 413.
- 333, to determine the weight of a bushel of certain undried fruits, introduced 396, report 414, Senate 699, enrolled 721, signed 770.
- 334, on the subject of insurance, introduced 404, report 664, indefinitely postponed 747.
- 335, to locate the Iowa reform school, introduced 404.
- 336, to continue the incorporation of the town of Richland, &c, introduced 405, report 496, passed 535, Senate 645, enrolled 666, signed 676.
- 337, in relation to county superintendents of public schools, introduced 405, report 446.
- 338, to divide counties into districts, &c., introduced 405, report 590.
- 339, to amend chapter 172, acts of 9th General Assembly, introduced 420, report 617.
- 340, to amend section 475, revision 1860, introduced 420, report 542.
- 341, to appropriate money for state university, &c., introduced 420, referred 473, report 487, Senate 596, enrolled 600, signed 608.



## HOUSE FILES—CONTINUED—

- No. 342, for the improvement and extension of the State penitentiary, introduced 420.
- 343, to amend chapter 143, acts 11th General Assembly, introduced 420, report 445, passed 446, Senate 831, Senate amendment 837, enrolled 848.
- 344, to provide for the inspection of teachers in common schools, introduced 435, report 446.
- 345, to repeal section 819, chapter 26, acts of 13th General Assembly, tabled 639.
- 346, to provide for taking a census of the State, introduced 442, report 508, passed 510, Senate 613, enrolled 634, signed 663.
- 347, requiring the publication of receipts and expenditures of independent school districts, etc., introduced 442, report 541, passed, Senate 635, Senate amendment 637, enrolled 635, signed 705.
- 348, to provide for the information of the deaf and dumb introduced 442, report 565, engrossed 742, passed 889, Senate 907, enrolled 910, signed 913.
- 349, to legalize the town plat of Wittenburg, introduced 447, report 452, passed 455.
- 350, to provide for the payment of certain costs, in the case of the State vs. J. D. Eads & Co., introduced 447, report 715.
- 351, to amend chapter 64, article 3, revision 1860, introduced 447.
- 352, to furnish justices of the peace with a copy of Wood's hand book, introduced 448, report 543, passed 792.
- 353, to amend chapter 6, acts of 14th General Assembly, introduced 452, report 709, passed 771, Senate 875, enrolled 886, signed 901.
- 354, to provide against the evils resulting from the sale of intoxicating liquors, introduced 452.
- 355, to create a State historical society, introduced 454, report 681, lost 698.
- 356, providing for the return of poll books to the county auditor, introduced 457, report 786, passed 738, Senate 757, 789, enrolled 813, signed 831.
- 357, to determine the rights of illegitimate children, introduced 458, report 707.
- 358, to amend section 3293, revision 1860, introduced 461, report 544, postponed 731, lost 842.
- 359, to authorize cities, etc., to construct water works, introduced 468, report 628, passed 695, Senate 795, enrolled 831, signed 833.

## HOUSE FILES—CONTINUED—

No. 360, to amend chapter 61, revision 1860, introduced 468.

361, to prevent persons plowing public highways, introduced 468, report 490.

362, to amend section 2, chapter 76, acts of 10th General Assembly, introduced 475, report 489.

363, to repeal chapter 132, acts of 8th General Assembly introduced 475, report 543.

364, to legalize the incorporation of the town of Ackley, etc., introduced 475, report 545, passed 628, Senate 646, enrolled 666, signed 704.

365, to amend section 3555, Revision 1860; introduced 476, report 543, passed 737, Senate 902, enrolled 908, signed 913.

366, to authorize clerks of district and circuit courts to satisfy mortgages; introduced 476, report 551, postponed 738, passed 745, Senate 757, enrolled 786, signed 821.

367, to amend chapter 26, acts 13th General Assembly; introduced 484, report 577, postponed 738, passed 835, Senate 866, enrolled 878, signed 901.

368, to amend section 2218, Revision 1860, introduced 484, report 543.

369, to legalize the incorporation of the town of Clear Lake; introduced 484, report 545, passed 626, Senate 646, enrolled 666, signed 705.

370, to punish gambling on railroads; introduced 495, report 544.

371, to amend section 4244, Revision 1860; introduced 495, report 790.

372, to amend chapter 87, acts of 13th General Assembly; introduced 495, report 697, engrossed 736, lost 894.

373, relating to certain duties of assessors, auditors and treasurers; introduced 495, report 543.

374, to amend chapter 109, acts 13th General Assembly; introduced 495, report 601, passed 618, Senate substitute 875, passed 890, Senate 896, enrolled 900, signed 905.

375, to amend section 3, chapter 160, laws of 12th General Assembly; introduced 501, report 551, passed 740.

376, to protect physicians and surgeons, etc., from quackery; introduced 502, report 542.

377, to fix the compensation of officers and employees of future General Assemblies; introduced 502.

## HOUSE FILES—CONTINUED—

No. 378, to abolish the office of Adjutant General, etc.; introduced 503, report 814.

379, to legalize the sale of swamp lands in Pocahontas county; introduced 503, report 712, passed 739, Senate 861, enrolled 778, signed 901.

380, to change the name of the village plat of Floyd creek; introduced 505.

381, to amend section 2823, Revision 1860; introduced 507, report 542, passed 560.

382, to amend section 1532, chapter 61, Revision 1860; introduced 507.

383, to change the boundary lines of civil townships; introduced 507, report 540, passed 740, Senate 883, enrolled 886, signed 901.

384, for the collection and payment of State revenue; introduced and referred 509, lost 737.

385, to legalize the acts of the board of supervisors of Hancock county, introduced 509, report 543, 613, passed 622, Senate 646, enrolled 665, signed 704.

386, to legalize the organization of independent school district of West Grove, introduced 521, report 541, passed 572.

387, to legalize the action of board of supervisors of Emmet county, introduced 521, report 613, passed 692, Senate 829, Senate amendment 836, enrolled 848, signed 853.

388, to amend chapter 47, acts 9th General Assembly, introduced 531.

389, to make further appropriations for the deaf and dumb asylum, &c., introduced 532, report 565, passed 688, enrolled 732, Senate 748, signed 770.

390, for the payment of bonds issued under chapter 58, acts of the 14th General Assembly, introduced 545, report 707, passed 714, Senate 778, 787, enrolled 795, signed 821.

391, to legalize the tax in Emmet county for making, bridges, &c., introduced 546, report 592, passed 623, Senate 687, enrolled 694, signed 705.

392, to provide for the alteration of roads in certain cases, introduced 546.

393, to legalize the acts of the board of directors of independent school district of New Cherokee, introduced 553, report 697.

394, concerning the transfer of real estate by counties, introduced 553, report 708, passed 750.

## HOUSE FILES—CONTINUED--

No. 395, for the relief of the asylum for destitute and orphan children at Andrew, introduced 554, report 614, postponed 743, passed 814, enrolled 831, Senate 832, signed 833.

396, to legalize deeds and conveyances made by executors, introduced 555, report 708, passed 901, enrolled 902, signed 905.

397, for the relief of the father and heirs of J. B. Dorr, introduced 455, report 696.

398, to reassign certain territory in Johnson county for school purposes, introduced 556, report 754, engrossed 754.

399, to give sub-directors control of school property, introduced 563, report 611, indefinitely postponed 747.

400, to allow district and circuit judges to interchange and hold each others courts, introduced 566, report 707, indefinitely postponed 752.

401, to appoint short-hand reporters in district and circuit courts, introduced 566.

402, to legalize certain acts of E. C. Mount, introduced 571, passed 572, Senate 635, enrolled 630, signed 665.

403, to legalize the official acts of John L. Robinson, introduced 573, passed 621, Senate 646, amended 710, enrolled 732, signed 770.

404, to confer upon women the right to vote for presidential electors, introduced 573.

405, to submit the question of a license law, to the people, introduced 573, report 707.

406, to amend section 2, chapter 115, acts of 10th General Assembly, introduced 573, report 690, postponed 736, indefinitely postponed 841.

407, to legalize the acts of E. M. Brink, introduced 588, passed 642, Senate 687, enrolled 694, signed 705.

408, to amend section 2, chapter 102, acts 9th General Assembly, introduced 588.

409, to legalize the acts of the Logan Town Co., introduced 602, report 686, postponed 737, passed 768.

410, to amend chapter 101, revision 1860, introduced 606, report 763.

411, in relation to the asylum for the deaf and dumb at Council Bluffs, introduced 611.

412, fixing the compensation of publication of delinquent tax list, introduced 615, report 696, postponed 736.

## HOUSE FILES—CONTINUED—

No. 413, to repeal chapter 13, acts of the 8th General Assembly, introduced 618, passed 618.

414, for the relief of George W. Carter, introduced 623, passed 694; 822, passed 829, Senate 879, enrolled 878, signed 901.

415, to authorize the sale of certain lands donated to the State, introduced 625, report 708, passed 753.

416, providing for the perfecting of tax titles, introduced 631, report 762.

417, providing that tax voted in aid of railroads shall not become delinquent until, etc., introduced 640, passed 640.

418, for the relief of Joseph Metz, introduced 660, passed 823, reconsidered . . . ., passed 881, Senate 899, enrolled 908, signed 913.

419, to repeal section 827, chapter 46, revision 1860, introduced 660, lost 720.

420, to legalize the incorporation of the town of Sharon, introduced 662, passed 662, Senate 699, enrolled 721, signed 770.

421, to amend section 8, chapter 143, acts of 11th General Assembly, introduced 662, report 697.

422, to provide against increased taxation for State purposes, introduced 668, passed 667.

423, to legalize the articles of incorporation of the Burlington and Southwestern Railway Company, introduced 667, passed 668, Senate 687, enrolled 694, signed 705.

424, authorizing the State auditor to issue his warrants in certain cases, introduced 678, lost 903.

425, to change the time of holding circuit court in Monroe county; introduced 679, passed 680, Senate 699, enrolled 721, signed 770.

426, in relation to the duties of county auditors, &c.; introduced 700, report 756.

427, making appropriations for the payment of the mileage of the 14th General Assembly; introduced 711, passed 712, Senate 757, enrolled 786, signed 821.

428, to reorganize the State historical society; introduced 712, passed 712, Senate 892, enrolled 907.

429, to legalize the establishment of roads by county judges and auditors; introduced 714, passed 714, Senate 875, enrolled 886, signed 901.

430, to amend section 187, chapter 149, Revision of 1860; introduced 716, passed 716, Senate 892, enrolled 899, signed 913.

## HOUSE FILES—CONTINUED—

- No. 431, to provide for taking testimony in applications for pardon; introduced 724, passed 725, Senate 899, enrolled 909, signed 913.
- 432, to authorize a special election in Kossuth county; introduced 725.
- 433, to prevent fraudulent voting; introduced 727, report 857.
- 434, to amend chapter 62, Revision of 1860; introduced 748, report 787.
- 435, making appropriations for the payment of State officers, &c.; introduced 760, passed 761, Senate 778, enrolled 795, signed 821.
- 436, in relation to trespass by domestic animals; introduced 767.
- 437, to amend chapter 92, acts of 11th General Assembly; introduced 767, passed 767, Senate 809, enrolled 831, signed 833.
- 438, to permanently locate the reform school, &c.; introduced 774, passed 775, Senate 795, enrolled 813, signed 831.
- 439, to regulate the disposal of swamp lands, &c.; introduced 777.
- 440, to provide where actions may be brought in certain cases; introduced 777.
- 441, to provide for the inspection of stock and grain scales; introduced 784, report 812, passed 813, Senate 872, enrolled 878, signed 901.
- 442, in relation to legalizing acts; introduced 809, passed 810, Senate.
- 443, in relation to capital punishment; introduced 827, passed 827, Senate 831, 857, Senate amendment 858, enrolled 867, signed 873.
- 444, to repeal section 4, chapter 62, acts 14th General Assembly; introduced 828, passed 828, Senate 866, 867, enrolled 878, signed 901.
- 445, to legalize the acts of Mayor, &c., of the town of Osage; introduced 840, passed 840, Senate 859, enrolled 867, signed 873.
- 446, authorizing the appointment of short-hand reporters; introduced 846, passed 847, Senate 864, enrolled 912, signed 913.
- 447, to amend chapter 172, acts of 13th General Assembly; introduced 856.
- 448, to amend chapter 74, acts of 14th General Assembly; introduced 860, passed 860, Senator 863, enrolled 878, signed 901.

## HOUSE FILES —CONTINUED—

No. 449, to amend section 2, chapter 110, acts of 13th General Assembly; introduced 875, lost 875, reconsidered 888, lost 888.

450, to amend section 1, chapter 39, acts of 14th General Assembly; introduced 881, passed 881, Senate 894, enrolled 907, signed 913.

451, to provide for the disposal of supreme court reports; introduced 882, passed 882, Senate 902, enrolled 909, signed 913.

452, authorizing the appointment of short-hand reporters; introduced 887, passed 887, Senate 907, enrolled 912, signed 913.

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**SENATE FILES—**

- No. 1, substitute to repeal chapter 48, acts 12th General Assembly, and chapter 102, 13th General Assembly; introduced 167, report ..., amended 172, passed 175, amended Senate 243, 671, adopted 675, enrolled 749, signed 770.
- 2, to change the time of holding court in 8th judicial district; introduced 97, passed 113, enrolled 122.



## SENATE FILES—CONTINUED—

- No. 8, to enable townships to adopt the provisions of chapter 26, laws of 13th General Assembly; introduced 243, referred 288, report 386, postponed 431, passed 434, enrolled 472, signed 480.
- 10, to legalize the organization of Shiloh Presbyterian church in Benton county; introduced 108, passed 114, enrolled 122.
- 12, to legalize the official acts of H. B. Hendershott; referred 95, report 681, passed 717, enrolled 749, signed 769.
- 16, to legalize the annexation of certain territory to the city of Knoxville; introduced 412, referred 426, report 497, passed 513, enrolled 520.
- 18, for the relief of Jasper county; introduced 494, referred 547, report 611, tabled 617.
- 19, to regulate certain school taxes in the independent school district of Springdale, Cedar county; introduced 108, passed 114, enrolled 122.
- 20, to amend section 2524 of Revision of 1860, introduced 167, referred 183, report 232, indefinitely postponed 459.
- 21, to permanently locate the State reform school; introduced 435, report 499, referred 539, report 590, lost 677.
- 22, to repeal section 3875 revision 1860; introduced 863, passed 865, enrolled 878, signed 901.
- 27, to regulate the manufacturing, keeping and sale of certain oils; introduced 522, referred 529, report 600, passed 626, enrolled 666, signed 705.
- 28, to prevent frequent changes in school books; introduced 215, report . . . ., re-referred 241, report 273, engrossed 567, passed 788, Senate 809, enrolled 845, signed 852.
- 30, to repeal chapter 118, acts 11th General Assembly; introduced 809, report 839, passed 839.
- 32, authorizing municipal corporations to levy poll taxes; introduced 372, referred 380, report 497, passed 575, enrolled 576, signed 608.
- 38, to legalize the incorporation of the Burlington & Northwestern Railroad Co.; introduced 130, report 137, passed 138, enrolled 148, signed 153.
- 40, to regulate taxes, and collection of, voted to aid in constructing railroads; introduced 158, taken up 168, passed 169, enrolled 197, signed 199.
- 43, to provide for an argument term of supreme court at Council Bluffs; introduced 392, referred 426, report 544, passed 604, enrolled 649, signed 665.

## SENATE FILES—CONTINUED--

- No. 46, to create the 13th judicial district; introduced 384, report 587, passed 705, enrolled 770, signed 786.
- 47, requiring additional sales of personal property to be executed, &c.; introduced 412, referred 426, report 625, passed 723, enrolled 771, signed 787.
- 48, to provide for establishing public libraries, &c.; introduced 307, referred 379, report 453.
- 49, to consent to certain purchases by the U. S.; introduced . . . ., referred 182, engrossed 242, passed 369, enrolled 391, signed 404.
- 50, to enlarge the institution for the blind; introduced 477, referred 480, report 508, passed 535, enrolled 576, signed 608.
- 51, to authorize the appropriation of money to build bridges; introduced 148, referred 152, report 160, passed 161, enrolled 168, signed 173.
- Sub. for 52, to amend chapter 175, acts of 13th General Assembly; introduced 756, referred 789.
- 59, To enable county of Appanoose to transfer certain bonds, introduced 270, passed 280, enrolled 292, signed 299.
- 61, for the relief of Marion county, introduced 494, referred 548, report 611, tabled 617.
- 65, to make an additional appropriation for hospital for insane at Independence, introduced 412, referred 426, report 440, passed 469, enrolled 474, signed 480.
- 68, to legalize the acts of Wm. H. Price, introduced 183, referred 183, report 295, passed 339, enrolled 391, signed 404.
- 69, to require indexes to be kept to the register of tax sales, introduced 659, referred 710, report 763.
- 71, to legalize the sale of certain swamp lands to E. F. Bergen and others, introduced 392, referred 426, report 542,
- 72, to change the time of holding court in 9th judicial district, introduced 270, referred 288, report 352, passed 370, enrolled 392, signed 404.
- 74, to enlarge the powers of school directors, etc., introduced 384, referred 389, report 416, indefinitely postponed 717.
- 75, pertaining to the division of civil townships, introduced 282, referred 289, report 295, passed 685, enrolled 749, signed 770.
- 76, to amend sections 1 and 2, chapter 54, acts of 13th General Assembly, introduced 384, referred 389, passed 859, enrolled 873, signed 901.

**SENATE FILES—CONTINUED—**

- No. 77, to repeal section 3275, revision 1860, etc., introduced 794, passed 816, enrolled 846, signed 852.
- 79, to amend chapter 89, acts 13th General Assembly, introduced 384, referred 389, report 416, recommit-  
ted 719, report 726.
- 82, to relating to the purchase of agricultural fair  
grounds, introduced 687, referred 710, re-referred  
717, report 754, lost 841.
- 83, to define and punish misdemeanors, in selling corn,  
grain, etc., introduced 488, referred 548, report 762.
- 84, to amend an act to protect game, introduced 395, re-  
ferred 420, report 448, passed 764, Senate 795,  
868, enrolled 886, signed 905.
- 88, to amend chapter 53, revision 1869, introduced 392,  
referred 397, report 544, passed 619, enrolled 666,  
signed 704.
- 90, requiring locomotives to have whistles and bells rung  
at certain crossings, introduced 404, referred 427,  
report 601, indefinitely postponed 724.
- 91, to amend section 1, chapter 23, acts of 9th General  
Assembly, introduced 801, passed 865, reconsid-  
ered and recommitted 866.
- 94, for the relief of corporations for pecuniary profit,  
introduced 514, referred 548.
- 97, making corporations and persons owning and opera-  
ting railroads, responsible for acts of employees,  
introduced 412, referred 426, report 602, passed  
724, enrolled 771, signed 786.
- 98, to amend section 3305, revision 1860, introduced 412,  
referred 426, report 497, engrossed 512, passed  
646, enrolled 666, signed 676.
- 99, to legalize the organization of the independent school  
district of New Hartford, introduced 270, passed  
281, enrolled 292, signed 300.
- 101, to legalize the acts of the independent school dist.  
of Ossian, introduced 271, referred 282, report  
303, passed 331, enrolled 371, signed 384.
- 102, relative to the admission of dying declarations of  
deceased persons, introduced 436, referred 453, re-  
port 544.
- 103, to fix the time for holding courts in the 12th judicial  
district, introduced 870, passed 891, enrolled 896,  
signed 905.
- 105, to legalize the acts of the board of trustees of New  
Albany township, introduced 393, report 420, re-  
ferred 452, passed 455, enrolled 472, signed 480.

## SENATE FILES—CONTINUED—

No. 106, to amend section 1329, revision 1860, introduced 570, referred 709.

110, to legalize the levy of certain taxes in the townships of Monroe and Jefferson, introduced 307, referred 427, report 496, 497, passed 539, enrolled 576, signed 608.

111, to amend section 2800, revision 1860, introduced 514, referred 548, report 708, passed 723, enrolled 771, signed 786. "

112, to allow all appeals to supreme court from Tama Co. to be taken to Des Moines, introduced 229, report 194, passed 240, enrolled 268, signed 281.

113, to amend section 5, chapter 11, acts of 14th General Assembly, introduced 269, report 304, passed 314, enrolled 365, signed 384.

116, in relation to the cancellation of mortgages, introduced 612.

117, to promote the science of medicine and surgery in Iowa, introduced 395, referred 427, report 449, postponed 724, passed 781, 809, enrolled 846, signed 852.

119, to legalize the plat of the town of Atlantic, introduced 258, passed 266, enrolled 292, signed 300.

122, to permanently locate, etc., an additional penitentiary, introduced 436, referred 453, lost 655, passed 672, Senate adopted 687, enrolled 688, signed 693.

123, to repeal section 781, chapter 45, revision 1860, introduced 529, referred 547.

Sub. for 125, to protect the credit of counties and corporations, introduced 634.

127, authorizing superintendent of public instruction to procure a seal, introduced 514, referred 549, lost 564.

130, to regulate city indebtedness, &c.; introduced 520, referred 702, report 762.

131, to regulate appeals to the Supreme Court: introduced 269, referred 270, report 287, passed 322, enrolled 365, signed 383.

136, to provide for surveying lands in certain cases; introduced 412, referred 426, report 497, passed 632, enrolled 666, signed 676.

137, to prevent the unlawful driving off of cattle, &c.; introduced 634, referred 710, report 754, passed 824, enrolled 846, signed 852.

138, to authorize the punishment of railroad companies, &c.; introduced 894, passed 902, Senate 905, enrolled 912, signed 913.

## SENATE FILES—CONTINUED—

- No. 139, to legalize certain bonds of independent district of Nashua; introduced 347, referred 379, passed 635, enrolled 666, signed 676.
- 140, to legalize the incorporation of the town of Newton, &c.; introduced 347, passed 367, enrolled 391, signed 404.
- 144, to give the board of trustees of Grinnell the control of Hazelwood cemetery; introduced 372, referred 380.
- 145, to legalize the organization of the independent school district of Homer; introduced 347, referred 367, report 657, re referred 657, report 697, passed 734, enrolled 770, signed 786.
- 147, to empower board of trustees of Agricultural College to grant diplomas; introduced 259, referred 556, report 578, re-referred 589, enrolled 770, signed 786.
- 151, to amend chapter 172, acts of 9th General Assembly; introduced 634, referred 709, report 754, passed 849, signed 852, Senate 870, enrolled 873.
- 156, to legalize certain corporations for pecuniary profit; introduced 412, referred 426, report 438, passed 609, enrolled 649, signed 665.
- 159, to collect taxes voted to aid certain railroads; introduced 489, passed 495, enrolled 507, signed 578.
- 160, to provide for locating, establishing and constructing ditches, drains, &c.; introduced 612, referred 630, report 707, 811, passed 812, enrolled 873, signed 905.
- 161, to furnish transportation to discharged convicts; introduced 247, referred 379, report 416, passed 718, enrolled 749, signed 770.
- 165, to provide for the further collection of taxes by township collectors, introduced 847, lost 864, re-considered 882.
- 166, to repeal an act legalizing the organization of an independent school district from certain portions of Page and Taylor counties; introduced 612; lost 648.
- 171, to regulate the intersection of railroad tracks near the Mississippi river; introduced 489, referred 498, report 533, passed 533, enrolled 576, signed 607.
- 175, in relation to county records; report 416, passed 719, enrolled 749, signed 770.
- 183, to provide for a system of normal schools; introduced 559, report 591, considered 592, engrossed 598, lost 648, reconsidered 673, lost 674.

## SENATE FILES—CONTINUED—

No. 184, concerning the acknowledgment of deeds, etc., in writing executed in foreign countries; introduced 433, report 453, passed 545, enrolled 576, signed 608.

186, fixing the compensation of members of General Assembly, etc.; introduced 635, referred 689, report 762, passed 779, signed 913.

190, making appropriations for agricultural college and farm; introduced 480, referred 495, report 548, 600, passed 638, Senate amendment 671, adopted 678, enrolled 749, signed 769.

195, to legalize appropriations made by board of supervisors of Bremer county; introduced 404, referred 427, report 438, passed 449, enrolled 472, signed 480.

196, to prohibit gifts, etc., of public money, etc., for ecclesiastical purposes, etc.; introduced 645, report 719, passed 719, enrolled 749, signed 770.

197, to make additional appropriation for hospital for the insane at Mt. Pleasant; introduced 477, referred 484, report 600, passed 656, Senate amendment 687, enrolled 688, signed 693.

201, to encourage and promote immigration to the State of Iowa; introduced 530, passed 575, enrolled 600, signed 608.

202, for the better prevention of criminal abortion; introduced 559, referred 566, report 590, indefinitely postponed 722.

204, for the improvement of the penitentiary at Ft. Madison; introduced 843, passed 863, enrolled 872, signed 901.

207, to provide for the payment of the per diem of commissioners, etc.; introduced 514, passed 528, enrolled 538, signed 571.

212, to legalize the acts of the board of directors of independent school district of Blakesburg; introduced 461, referred 462, report 540, passed 541, 620, enrolled 666, signed 676.

215, to amend chapter 148, acts of 13th General Assembly; introduced 634, referred 709, report 763, lost 851.

215, providing that district and circuit judges shall fix the time for holding courts, etc.; introduced 645, referred 709, report 763.

219, to provide for the acknowledgment and recording of deeds, etc.; introduced 514, referred 549, passed 845, enrolled 878, signed 901.

## SENATE FILES—CONTINUED—

No. 221, for the relief of Louisa county ; introduced 514, referred 549, report 611, tabled 617.

223, to divide the State into 9 congressional districts ; introduced 519, referred 549, report 591, passed 689, enrolled 749, signed 776.

225, for the relief of Bremer county ; introduced 515, referred 547, report 611, tabled 617.

226, to repeal section 827, revision 1860 ; introduced 645.

227, for the relief of James Jordan and Matilda Carter ; introduced 515, referred 549, report 701, postponed 736, passed 750, enrolled 771, signed 786.

230, to amend section 1, chapter 6, acts 14th General Assembly ; introduced 589, referred 667, 710.

231, to legalize the acts of Geo. E. Maxwell ; introduced 559, passed 559, enrolled 576.

232, to legalize the acts of the independent school district of Grand Junction ; introduced 596, passed 629, enrolled 666, signed 704.

234, to apportion the State of Iowa into senatorial districts ; introduced 834, referred 837, substitute 875, passed 876, Senate 883, reconsidered 906, signed 913.

235, to provide for the disposal of property held by the State, &c. ; introduced 766, referred 789.

236, to apportion the State into representative districts ; introduced 778, referred 815, report 836, passed 836, enrolled 873, signed 901.

237, to legalize the incorporation of the town of Drakeville, &c. ; introduced 612, passed 616, enrolled 666, signed 704.

238, to legalize the ordinances of the city of Waverly ; introduced 612, referred 709, report 763, passed 825, enrolled 873, signed 901.

239, to legalize the incorporation of the town of Bedford ; introduced 612, referred 702, report 763, 854, passed 879, Senate 884, enrolled 886, signed 905.

240, to amend chapter 2, acts of 13th General Assembly, &c. ; introduced 612, passed 615, enrolled 666, signed 704.

241, to legalize the gift, grant, and sale of certain land in Johnson county ; introduced 699, referred 705, report 762, passed 774, 809, enrolled 845, signed 852.

242, to amend sections 799 and 800, chapter 45, revision 1860 ; introduced 872, indefinitely postponed 891.



## SENATE FILES—CONTINUED—

- No. 244, to legalize the official acts of certain notaries public, &c.; introduced 612, report 702, passed 702, enrolled 749, signed 770.
- 245, to legalize the election of directors of independent school district of Camanche City; introduced 612, passed 631, enrolled 666, signed 676.
- 247, making valid certain deeds for town lots in the town of Sigourney; introduced 635, passed 641, enrolled 666, signed 676.
- 248, to legalize the organization of the town of Ames; introduced 635, referred 709, report 763, passed 848, enrolled 873, signed 901.
- 261, to legalize the acts of board of supervisors of Poweshiek county, &c.; introduced 659, report 709, passed 709, signed 769.
- 263, to remove the disabilities of Mordecai Cropper; introduced 671, referred 710, report 763, passed 791, enrolled 846, signed 852.
- 264, to amend section 1, chapter 6, acts 14th General Assembly; introduced 671, passed 680, enrolled 749, signed 770.
- 265, to amend chapter 138 and 172, acts of 12th General Assembly; introduced 856, engrossed 856, re-considered 857, engrossed 857, lost 880, passed 855, Senate 898, signed 913.
- 267, to amend the school laws of the State, &c.; introduced 847, referred 862, report 896, indefinitely postponed 896, re-considered 899, lost 900, 907.
- 268, to authorize board of supervisors of Polk county to extend the time of completing Des Moines & Minnesota Railway; introduced 757, passed 765, enrolled 786, signed 821.
- 269, to provide for the publication and distribution of laws of 14th General Assembly; introduced 847, passed 897, signed 905.
- 270, to amend chapter 101 acts of 14th General Assembly; introduced 778, referred 789, passed 820, enrolled 873, signed 901.
- 271, providing for the revision of the statutes, &c.; introduced 834, report 854, passed 861, Senate 870, 892, enrolled 895, signed 905.
- 274, to amend chapter 70 acts of 14th General Assembly; introduced 794, lost 818.
- 275, to amend chapter 59 acts of 12th General Assembly; introduced 794, referred 821, report 855, passed 855, Senate 870, enrolled 872, signed 911.

## SENATE FILES—CONTINUED—

No. 276, regulating compensation of officers of penitentiary ; introduced 875, referred 890.

277, to supplement an act providing for the location of the reform school; introduced 828, report 849, passed 850, Senate 870, enrolled 872, signed 901.

278, to legalize certain acts of board of directors of the district township of Dover, &c., introduced 809, passed 817, enrolled 846, signed 852.

281, fixing the time of holding courts in the 13th judicial district; introduced 833, passed 862, enrolled 878, signed 901.

282, to amend chapter 138 acts 14th General Assembly; introduced 847, passed 853, enrolled 873, signed 901.

283, to legalize the sale of certain lands in Wayne county; introduced 847, passed 864, enrolled 872, signed 901.

284, making appropriations for the per diem and expenses of the 14th General Assembly; introduced 854, report 868, passed 871, 874, 909, enrolled 912, signed 913.

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